



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 30] नई दिल्ली, शनिवार, जुलाई 23, 1983/श्रावण 1, 1905
No. 30] NEW DELHI, SATURDAY, JULY 23, 1983/SRAVANA 1, 1905

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 30 जून, 1983

का० आ० 2938 :—सरकारी स्थान (अप्राधिकृत अधिभोगियों की देखबली अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, आसूचना ब्यूरो, नई दिल्ली के सहायक निदेशक, श्री जी० डी० केवलानी को जो सरकार के राजपत्र अधिकारी है, एतद्वारा श्री पी० एल० कालिया के स्थान पर उक्त अधिनियम के प्रयोजन के लिए संपदा अधिकारी नियुक्त करती है और निदेश देती है उक्त अधिकारी 1 जून, 1983 को और उस तारीख से निदेशक, आसूचना ब्यूरो, नई दिल्ली के नियंत्रणाधीन सभी सरकारी वास के संबंध में, उक्त अधिनियम के द्वारा या उसके अधीन संपदा अधिकारी को प्रदत्त शक्तियों का प्रयोग करेगा और सौंपे गए कर्तव्यों का निर्वहन करेगा।

[सं० 1/सी०-11/75-(बी)-38/एफ० पी०-5]

एल० एन० गुप्ता, संयुक्त सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 30th June, 1983

S.O. 2938.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, (40 of 1971), the Central Government hereby appoints Shri G. D. Kewani, Assistant Director, Intelligence Bureau, New Delhi, a Gazetted Officer of the Government, to be the Estate Officer vice Shri P. L. Kalia for the purposes of the said Act and directs that the said officer shall exercise the powers conferred, and perform the duties imposed, on the Estate Officer by or under the said Act, in respect of all Government accommodation under the control of the Director, Intelligence Bureau at New Delhi, on and from 1st June, 1983.

[No. 1/C-11/75(B)-38/FP.V]

L. N. GUPTA, Jt. Secy.

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 6 जुलाई, 1983

आदेश

का० आ० 2939 :—केन्द्रीय सरकार दिल्ली विशेष पुलिस' स्थापन अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के राजपत्र, भाग 2, खण्ड (3)(ii)

तारीख 19 फरवरी, 1983 के पृष्ठ 859 पर प्रकाशित भारत सरकार के गृह मंत्रालय (कामिक और प्रशासनिक सुधार विभाग) के आदेश सं० का० आ० 1078, तारीख 3 फरवरी, 1983 को विरुद्धित करती है।

[संख्या 228/1/83-ए० वी० डी०-II]

एच० के० वर्मा, अवर सचिव

(Department of Personnel & Administrative Reforms)

New Delhi, the 6th July, 1983

ORDER

S.O. 2939.—In exercise of the powers conferred by sub-section (1) of section 5 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government hereby rescinds the order of the Government of India in the Ministry of Home Affairs (Department of Personnel and Administrative Reforms) No. S.O. 1078 dated the 3rd February, 1983 published at page 859 of the Gazette of India, Part II, Section 3(ii) dated the 19th February 1983.

[No. 228/1/83-AVD.II]

H. K. VERMA, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

शुद्धि पत्र

नई दिल्ली, 29 जून, 1983

(आय-कर)

का० आ० 2940:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, दिनांक 20 दिसम्बर, 1982 की अपनी अधिसूचना सं० 5030 (फा० सं० 197/160/79/आ० क० (नि०-1) में निम्नलिखित संशोधन करती है:—

“केन्द्रीय सरकार, एतद्वारा केनोसियन डाटर आरि वीरिडि, बम्बई को अधिसूचित करती है।” के स्थान पर “केन्द्रीय सरकार, एतद्वारा केनोसा मोसायटी, बम्बई को अधिसूचित करती है।” पढ़ें।

[सं० 5302/फा० सं० 197/160/79-आ० क० (नि०-1)]

MINISTRY OF FINANCE

(Department of Revenue)

CORRIGENDUM

New Delhi, the 29th June, 1983

(INCOME-TAX)

S.O. 2940.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby makes the following amendment in its Notification No. 5030 (F. No. 197/160/79-IT(AI), dated the 20th December, 1982:—

For—“the Central Government hereby notifies Canossian Daughters of Charity, Bombay”

Read—“the Central Government hereby notifies canossa Society, Bombay”.

[No. 5302/F. No. 197/160/79-IT(AI)]

का० आ० 2941:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा “श्रीकान्तेश्वर क्षेत्र योगम्, तालीकट” को उक्त धारा के प्रयोजनार्थ कर-निर्धारण वर्ष 1982-83 से 1984-85 तक के अंतर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं० 5304/फा० सं० 197/102/83-आ० क० (नि०-1)]

S.O. 2941.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Sreekanteswara Kshetra Yogam, Calicut” for the purpose of the said section for the period covered by the assessment years 1982-83 to 1984-85.

[No. 5304/F. No. 197/102/83-IT(AI)]

का० आ० 2942:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा, “इदारा दावातुल कुरान” को उक्त धारा के प्रयोजनार्थ कर-निर्धारण वर्ष 1978-79 से 1983-84 तक के अंतर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं० 5305/फा० सं० 197/103/79-आ० क० (नि०-1)]

S.O. 2942.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Idara Dawatul Quran” for the purpose of the said section for the period covered by the assessment years 1978-79 to 1983-84.

[No. 5305/F. No. 197/103/79-IT(AI)]

का० आ० 2943:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा “आर० सी० डायोसेज आफ मद्रुरै” को उक्त धारा के प्रयोजनार्थ कर-निर्धारण वर्ष 1978-79 से 1983-84 तक के अंतर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं० 5306/फा० सं० 197/189/79-आ० क० (नि०-1)]

S.O. 2943.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “R. C. Diocese of Madurai” for the purpose of the said section for the period covered by the assessment years 1978-79 to 1983-84.

[No. 5306/F. No. 197/189/79-IT(AI)]

का० आ० 4934 —आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा, "सेवाग्राम आश्रम प्रतिष्ठान, वर्धा" को उक्त धारा के प्रयोजनार्थ कर-निर्धारण वर्ष 1982-83 से 1984-85 के अंतर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं० 5301/फा० सं० 197/164/80-आ० क० (नि०-1)]

S.O. 2944.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sevagram Ashram Pratisthan, Wardha" for the purpose of the said section for the period covered by the assessment years 1982-83 to 1984-85.

[No. 5301/F.No. 197/164/80-IT(A1)]

का० आ० 2945 —आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा, "मोसापटी आफ मेरी इम्मेक्युलेट (मैसूर) सेंट मेरीस कान्वेंट, बंगलूर" को उक्त धारा के प्रयोजनार्थ कर-निर्धारण वर्ष 1980-81 से 1983-84 तक के अंतर्गत आने वाली अवधि के लिए, अधिसूचित करती है।

[सं० 5303/फा० सं० 197/80/80-आ० क० (नि०-1)]

S.O. 2945.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Society of Mary Immaculate (Mysore) St. Mary's Convent Bangalore" for the purpose of the said section for the period covered by the assessment years 1980-81 to 1983-84.

[No. 5303/F. No. 197/80/80-IT(A1)]

नई दिल्ली, 4 जुलाई, 1983

का० आ० 2946 —आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा "गुरुदेव सिद्ध पीठ गणेशपुरी" को उक्त

धारा के प्रयोजनार्थ कर-निर्धारण वर्ष 1983-84 के अंतर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं० 5307/फा० सं० 197/76/83-आ० क० (नि०-1)]

वा०वा० श्रानिवासन, निदेशक

New Delhi, the 4th July, 1983

S.O. 2946.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Gurudev Siddha Peeth Ganeshpuri" for the purpose of the said section for the period covered by the assessment year 1983-84.

[No. 5307/F.No. 197/76/83-IT(A1)]

V. B. SRINIVASAN, Director

नई दिल्ली, 10 जून, 1983

का० आ० 2947 —आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा "स्पास्टिक्स सोसाइटी आफ ईस्टर्न इण्डिया" को उक्त धारा के प्रयोजनार्थ कर निर्धारण वर्ष 1983-84 से 1985-86 के अंतर्गत आनेवाली अवधि के लिए अधिसूचित करती है।

[सं० 5280/फा० सं० 197/181/82-आ० क० (नि०-1)]

मिलाप जैन, अवर सचिव

New Delhi, the 10th June, 1983

S.O. 2947.—In exercise of the powers conferred by clause (iv) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Spastics Society of Eastern India" for the purpose of the said section for the period covered by the assessment years 1983-84 to 1985-86.

[No. 5280/F.No. 197/181/82-IT(A1)]

MILAP JAIN, Under Secy.

नई दिल्ली, 7 जुलाई, 1983

आदेश

स्टाम्प

का० आ० 2948 —भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उस शुल्क को माफ करती है जो वेस्टर्न इंडिया इरैक्टर्स लि०, पुना द्वारा केवल बीस लाख रुपए मूल्य के ऋण पत्रों के रूप में जारी किए जाने वाले बन्धपत्रों पर उक्त अधिनियम के अंतर्गत प्रभावी है।

[सं० 22/83-स्टाम्प फा० सं० 33/29/82 - वि० क०]

भगवान दाम, अवर सचिव

New Delhi, the 7th July, 1983

ORDER

STAMPS

S.O. 2948.—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1889), the Central Government hereby remits the duty with which the bonds in the nature of debentures to the value of rupees twenty lakhs only to be issued by the Western India Erectors Limited, Poona are chargeable under the said Act.

[No. 22/83-Stamp F. No. 33/29/82-ST]

BHAGWAN DAS, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 4 जुलाई, 1983

का० आ० 2949—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री एम० पी० राजू को श्री एन० के० सिन्हा के स्थान पर उस तारीख से आरम्भ होने वाली तीन वर्ष की अवधि के लिए वैशाली क्षेत्रीय ग्रामीण बैंक, मुजफ्फरपुर के अध्यक्ष के रूप में नियुक्त करती है जिस तारीख से श्री एम० पी० राजू वास्तविक रूप से श्री एन० के० सिन्हा से अध्यक्ष के रूप में, कार्यभार संभालेंगे।

[सं० एफ० 2-44/82-आर० आर० बी०]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 4th July, 1983

S.O. 2949.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri M. P. Raju as the Chairman of Vaishali Kshetriya Gramin Bank, Muzaffarpur vice Shri N. K. Sinha for a period of three years commencing on the date on which Shri M. P. Raju actually takes over the charge as such Chairman from Shri N. K. Sinha.

[No. F. 2-44/82-RRB]

का० आ० 2950.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री अजित कुमार सक्सेना को श्री जी० डी० शर्मा के स्थान पर उस तारीख से आरम्भ होने वाली तीन वर्ष की अवधि के लिए क्षेत्रीय किसान ग्रामीण बैंक, मैतपुरी के अध्यक्ष के रूप में नियुक्त करती है, जिस तारीख से श्री अजित कुमार सक्सेना श्री जी० डी० शर्मा से वास्तविक रूप से अध्यक्ष के रूप में कार्यभार संभालेंगे।

[सं० एफ० 2-68/82-आर० आर० बी०]

राम बेहरा, अवर सचिव

S.O. 2950.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri Ajit Kumar Saxena as the Chairman of the Kshetriya Kisan Gramin Bank, Mainpuri vice Shri G. D. Sharma for a period of three years commencing on the date on which Shri Ajit Kumar Saxena actually takes over the charge as such Chairman from Shri G. D. Sharma.

[No. F. 2-68/82-RRB]

RAAM BEHRA, Under Secy.

(उद्योग विभाग)

(रक्षा प्रभाग)

नई दिल्ली, 17 जून, 1983

का० आ० 2951.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए सिविल सेवा विनियमों का और संशोधन करने के लिए निम्नलिखित विनियम बनाते हैं, अर्थात्:—

1. (i) इन विनियमों का नाम सिविल सेवा (संशोधन) विनियम, 1983 है।

(ii) वे राजपत्र में प्रकाशन की तारीख का प्रवृत्त होंगे।

2. सिविल सेवा विनियम में,—

(i) विनियम 193 के उप-विनियम (1) के खण्ड (क) के परन्तुक में, “निलम्बन छह मास से अधिक हो” और “प्रथम छह मास” शब्दों के स्थान पर “निलम्बन तीन मास से अधिक हो” और “प्रथम तीन मास” शब्द रखे जाएंगे;

(ii) विनियम 193 के उप-विनियम (घ) के खण्ड (क) के परन्तुक के उप-खण्ड (1) में “प्रथम छह मास” शब्दों के स्थान पर “प्रथम तीन मास” शब्द रखे जाएंगे;

(iii) विनियम 193 के उप-विनियम (1) के खण्ड (क) के परन्तुक के उप-खण्ड (ii) में “प्रथम छह मास” शब्दों के स्थान पर “प्रथम तीन मास” शब्द रखे जाएंगे।

[संख्या 7006-ए०जी०/पी०बी०]

सी० एल० गुप्ता, सहायक वित्तीय सलाहकार (ए० जी०)

(Department of Expenditure)

(Defence Division)

New Delhi, the 17th June, 1983

S.O. 2951.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following regulations further to amend the Civil Service Regulations, namely:—

1. (1) These regulations may be called the Civil Service (Amendment) Regulations, 1983.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Civil Service Regulations,—

(i) in the proviso to clause (a) of sub-regulation (1) of regulation 193 for the words “suspension exceeds

six months" and "first six months", the words "suspension exceeds three months," and the words "first three months" shall respectively be substituted;

(ii) the sub-clause (i) of the proviso to clause (a) of sub-regulation (1) of regulation 193, for the words "the first six months" the words "the first three months" shall be substituted;

(iii) in sub-clause (ii) of the proviso to clause (a) of sub-regulation (1) of regulation 193, for the words "first six months", the words "first three months" shall be substituted.

[No. 7006/AG/PB]

C. I. GUPTA, Assistant Financial Adviser (AG)

FOOTNOTE

Art 193 of CSRs.NOs. last amended vide Notification No. 7006/AG/PB dt.6.5.82 published as S.O. No.1823 in Part II section 3(ii) of the Gazette of India dt. 22.5.82.

वाणिज्य संचालय

आदेश

नई दिल्ली, 23 जुलाई, 1983

का० आ० 2952.—भारत के निर्यात व्यापार के विकास के लिए विरचित अन्नक को निर्यात से पूर्व निरीक्षण के अधीन लाने के लिए कतिपय प्रस्ताव, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम, 11 क उपनियम (2) की अपेक्षानुसार, भारत सरकार के वाणिज्य मंत्रालय के आदेश संख्या का० आ० 356, तारीख 15 जनवरी, 1983 के अधीन भारत के राजपत्र भाग-II, खंड-3, उपखंड(ii) तारीख 15 जनवरी, 1983 में प्रकाशित किए गए थे;

और उक्त आदेश के प्रकाशित होने की तारीख से पैंतालीस दिन के भीतर उन सभी व्यक्तियों से आक्षेप और सुझाव मांगे गए थे, जिनके उनसे प्रभावित होने की संभावना थी;

और उक्त राजपत्र की प्रतियां जनता को 24-1-83 को उपलब्ध करा दी गयी थीं।

और केन्द्रीय सरकार ने उक्त प्रारूप पर जनता से प्राप्त आक्षेपों और सुझावों पर विचार कर लिया है;

अब, अतः निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार की निर्यात निरीक्षण परिषद् से परामर्श करने के पश्चात् यह राय होने पर कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीचीन है, इसके द्वारा :-

- (1) अधिसूचित करती है कि विरचित अन्नक का निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण किया जाएगा—
- (2) मान्यता देती है कि निर्यातकर्ता द्वारा वांछित विनिर्देश निर्यातकर्ता एवं विदेशी क्रेता के बीच निर्यात संधि के लिए करार पाए गए विनिर्देश होंगे;

परन्तु यह तब जब कि उपरोक्त (2) में विनिर्दिष्ट मान्यता प्राप्त विनिर्देश इस आदेश के उपाबंध-1 में यथा अधिकभित विरचित अन्नक

के लिए न्यूनतम लक्षणों और पैकिंग अपेक्षाओं से कम न हों।

टिप्पणः-(क) जब निर्यात संधिदा, व्यापार तकनीकी आवश्यकताओं को उपदर्शित नहीं करती या वह केवल नमूनों पर आधारित होती है तो निर्यातकर्ता को लिखित विनिर्देश देने चाहिए।

(ख) परीक्षण की पद्धति राष्ट्रीय मानक के अनुसार होगी।

(3) विरचित अन्नक का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1983 के प्रारूप के अनुसार क्वालिटी नियंत्रण और निरीक्षण के प्रकारको क्वालिटी नियंत्रण और निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करती है जो निर्यात से पूर्व विरचित अन्नक को लागू होगा;

(4) अन्तर्राष्ट्रीय व्यापार के दौरान ऐसे विरचित अन्नक के निर्यात को तब तक प्रतिषिद्ध करती है जब तक कि उसके साथ निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अधीन स्थापित अभिकरणों में से किसी एक द्वारा दिया गया इस आशय का प्रमाण-पत्र न हो कि विरचित अन्नक का परीक्षण क्वालिटी नियंत्रण और निरीक्षण से संबंधित शर्तों को पूरा करता है और विरचित अन्नक का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1983 के अनुसार निर्यात योग्य है।

2. इस आदेश की कोई भी बात भावी क्रेताओं को भूमि, समुद्री या वायु मार्ग द्वारा विरचित अन्नक के ऐसे नमूनों के निर्यात को लागू नहीं होगी जिनका पोत पर्यन्त निःशुल्क मूल्य 125 रुपए तक हो।

स्पष्टीकरण :—

"विरचित अन्नक" से विनिर्दिष्ट आकृतियों या आकारों में संघारित फिल्मों, कट प्लेटें, छिप्रित प्लेटें या बेकर, छिप्रित बिज, स्पेसर, टिकर ट्रांजिस्टर प्लेटें, या ट्रांजिस्टर पैड, वाशर और डिस्क तथा सभी किस्मों का कटा हुआ या छिद्र किया हुआ अन्नक अभिप्रेत है।

तथापि, इसमें माइक्रोफ़िल्म, बिल्ट अप अन्नक, अन्नक टेप, अन्नक क्लाय, अन्नक मिल्क, अन्नक पेपर, अन्नक फालियन तथा अन्नक पाउडर या अन्नक परत और तार या किसी अन्य बाहरी तत्व में लिपटे हुए अन्नक तत्व सम्मिलित नहीं हैं।

3. यह आदेश राजपत्र में प्रकाशन की तारीख से प्रवृत्त होगा।

उपाबंध-I

विरचित अश्रक के लिए न्यूनतम निष्पादन लक्षण :

1. साधारण—विरचित अश्रक में बनी वस्तुओं की आकृति और आकार नियतिकर्ता द्वारा तय पाए गए श्रेता के रेखा चित्रों/पैट्रनों/नमूनों के अनुसार होंगे । माप में ग्राह सहायता, श्रेता की अपेक्षाओं के अनुसार होगी ।

2. चाक्षुष क्वालिटी—विरचित अश्रक की क्वालिटी श्रेता और नियतिकर्ता के मध्य हुए करार के अनुसार होगी । परन्तु इसमें टुकड़ों का पांच प्रतिशत से अधिक निम्नलिखित दोष नहीं होंगे :—

(i) खण्डक अश्रक में संरचना के लिए :—धब्बेदार और लाल कॉपर अश्रक, रिबन या लाइनदार केशिका टेंगल शीट, वैज, विदारण, दरारें, रिज, रीबन, पत्थरों के अतिरिक्त लाल धब्बे (खनिज) । विजातीय खनिजों जैसे फेल्डस्पार, क्वार्ट्ज तथा पैगमेटाइट के अन्य खनिजों का समावेश अनुज्ञात नहीं होगा ।

(ii) संधारित फिल्मों में संरचना के लिए :—उपरोक्त (i) में निर्दिष्ट दोषों से मुक्त होंगे । इसके अतिरिक्त इसमें भारी सन्जियों के धब्बे, मध्यम बकजा, अपश्लेकन, और अधिकवायु समावेश नहीं होगा ।

स्पष्टीकरण :—उपरोक्त (i) तथा (ii) के प्रयोजन के लिए, भारतीय मानक 1885—1980 इलेक्ट्रोटेकनिकल वैकबलरी भाग 43(iii) अश्रक और भा०मा० 1175-1981 “श्वेत अश्रक ब्लॉक, पतली परतों और फिल्मों के श्रेणीकरण और वर्गीकरण करने की पद्धति” में दी गयी परिभाषा लागू होगी ।

3. पैकिंग —जब तक श्रेता द्वारा अन्यथा विनिर्दिष्ट न किया जाए विरचित अश्रक कागज के पैकेटों या प्लास्टिक चदरों में पैक किया जाएगा । पैकेट आन्तरिक कागज के अस्तरण के साथ मजबूत डिब्बों में दृढ़तापूर्वक पैक किया जाएगा । प्रत्येक पैकेज पर निम्नलिखित सूचना के लिए लेबल लगे होंगे ।

- (1) विनिर्माता का नाम (यदि अपेक्षित हो);
- (2) वस्तु का नाम;
- (3) कुल सामग्री की मात्रा, और,
- (4) पैकिंग की तारीख ।

[सं० 6(11)/81-ई आई एण्ड ई पी]

MINISTRY OF COMMERCE

ORDER

New Delhi, the 23rd July, 1983

S.O. 2952.—Whereas, for the development of Export Trade of India, certain proposals for subjecting fabricated mica to

inspection prior to export, were published as required by sub-rule 2 of Rule 11 of the Export (Quality Control and Inspection) Rules, 1964, in the Gazette of India Part II, Section 3, Sub-section (ii), dated the 15th January, 1983, under the order of the Government of India, Ministry of Commerce, No. S.O. 356, dated the 15th January, 1983;

And whereas the objections and suggestions were invited within 45 days from the date of publication of the said order from persons likely to be affected hereby;

And whereas the copies of the said Gazette were made available to the public on 24-1-83.

And whereas the objections and suggestions received from the public on the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government after consulting the Export Inspection Council, being of opinion that it is necessary and expedient so to do for the development of the Export trade of India, hereby :—

- (1) notifies that fabricated mica shall be subject to quality control and inspection prior to export;
- (2) recognises the specifications declared by the exporter to be the agreed specifications of the export contract between foreign buyer and the exporters;

Provided that the recognised specifications specified at (2) above are not below the minimum performance characteristics and packing requirements for fabricated mica as laid down in Annexure-I to this Order.

NOTE:—(a) When the export contract does not indicate detailed technical requirements or is based only on samples the exporter should furnish written specification;

(b) The method of tests would be as per national standard;

(3) specifies the type of quality control and inspection in accordance with the draft Export of Fabricated Mica (Quality Control and Inspection) Rules, 1983 as the type of quality control and inspection which shall be applied to the fabricated mica prior to export;

(4) prohibits the export in the course of international trade of the fabricated mica unless every consignment thereof is accompanied by certificate issued by any one of the agencies, established under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), to the effect that the consignment of fabricated mica satisfies the conditions relating to quality control and inspection and is exportworthy in accordance with the Export of Fabricated Mica (Quality Control and Inspection) Rules, 1983.

2. Nothing in this Order, shall apply to the export by land, sea or air of samples of fabricated mica upto the value of Rs. 125 only to the prospective buyer.

Explanation.—“Fabricated Mica” means cut mica blocks and condenser films, cut plates, punched backing plates or backers, punched bridges, spacers, trimmers, transistor plates or transistor pads, washers and discs and all varieties of mica cut or punched to specified shapes or sizes.

This, however, does not include micanite, built up mica mica tape, mica cloth, mica silk, mica paper, mica folium and mica power or mica flakes and mica elements wrapped with wire or any other foreign elements.

3. This Order shall come into force on the date of its publication in the Official Gazette.

ANNEXURE I

MINIMUM PERFORMANCE CHARACTERISTICS

FOR FABRICATED MICA

1. General—The shape, size and thickness of the fabricated mica products shall be according to the purchasers drawings/patterns/samples agreed to by the exporter. The permissible tolerances in measurements shall be as per the requirement of the buyer.

2. Visual Quality—Fabricated mica shall be as per the agreement between the buyer and the exporter provided it shall not contain the following defects in more than five per cent of the pieces :—

- (i) For fabrications from block mica—red stain (Minerals) except in spotted and in red copper mica, ribboned or rules, tangle sheets, wedges, hairlines, tears, cracks, ridges, reeves and stones. Inclusion of foreign minerals such as feldspar quartz and other minerals of pegmatite are not allowed.
- (ii) For fabrications from condenser films—shall be free from defects referred to in (i) above. Further it shall not contain heavy vegetable stains, medium buckles, exfoliation and heavy air inclusion.

Explanation.—For the purposes, of (i) and (ii) above the definitions given in IS : 1885—1980 Electrotechnical Vocabulary Part L JII-MICA and IS : 1175—1981—Methods for grading and classification of muscovite mica blocks, thins and films' shall apply.

3. Packing—Unless otherwise specified by the buyer fabricated mica shall be packed in paper packets or plastic sheets. The packets shall be tightly packed in sturdy boxes with inside paper lining. Every package shall be labelled with the following information :—

1. Name of the manufacturer (if required);
2. Name of item;
3. Quantity or nett mass; and
4. Date of packing.

File No. 6(11)/81-EI&EP

का० आ० 2953.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा निम्नलिखित नियम बनाती है :—

1. संक्षिप्त नाम और प्रारम्भ—(1) इन नियमों का नाम विरचित अभ्रक का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1983 है।

(2) ये इनके राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएँ :—इन नियमों में जब तक कि संदर्भ में अन्यथा अपेक्षित न हो :—

(क) “अधिनियम” से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है;

(ख) “परिषद्” से अधिनियम की धारा 3 के अधीन स्थापित निर्वात निरीक्षण परिषद् अभिप्रेत है।

(ग) “अभिकरण” से अधिनियम की धारा 7 के अधीन स्थापित निर्वात निरीक्षण अभिकरणों में से कोई एक अभिकरण अभिप्रेत है,

(घ) “विरचित अभ्रक” से विनिर्दिष्ट आकृतियों या आकारों में संघारित कटे हुए अभ्रक श्लोक और कंडेंसर, फिल्में, कट प्लेटें, छिप्रित प्लेटें या बेकर, छिप्रित ब्रिज, अन्तरक, ट्रिगर, ट्रांजिस्टर प्लेटें या ट्रांजिस्टर पैड, वाशर और डिस्क तथा सभी किस्मों का कटा हुआ या छिद्र किया हुआ अभ्रक अभिप्रेत है। इसमें तथापि, माइक्रोनाईट विस्ट अप अभ्रक, अभ्रक टेप, अभ्रक क्लाय, अभ्रक सिल्क, अभ्रक पेपर, अभ्रक फोलियन तथा अभ्रक पाउडर, या अभ्रक परतें और तार या किसी अन्य बाहरी तत्व में लपेटे हुए अभ्रक तत्व सम्मिलित नहीं हैं।

3. निरीक्षण का आधार :—विरचित अभ्रक का निरीक्षण यह सुनिश्चित करने की दृष्टि से किया जाएगा कि उसकी क्वालिटी अधिनियम की धारा 6 के अधीन केन्द्रीय सरकार द्वारा मान्यता प्राप्त मानक विनिर्देशों के अर्थात् उन विनिर्देशों के अनुरूप है जो निर्यातकर्ता द्वारा विदेशी क्रेता और निर्यातकर्ता के बीच निर्यात संधिदा के कारण पाए गए विनिर्देश हैं।

परन्तु वे मान्यता प्राप्त विनिर्देश अधिनियम की धारा 6 के अधीन आदेश के उपाबंध I में यथा अधिकथित विरचित अभ्रक के लिए न्यूनतम निष्पादन लक्षण और पैकिंग अपेक्षाओं से कम न हों।

टिप्पण : (क) जब निर्यात संधिदा व्यौरेवार तकनीकी आवश्यकताओं को उपदर्शित नहीं करती है या केवल नमूनों पर आधारित हो, निर्यातकर्ता को लिखित विनिर्देश देने चाहिए।

(ख) परीक्षण की पद्धति राष्ट्रीय मानक के अनुसार होगी

या

(अ) यह सुनिश्चित करते हुए कि उत्पाद का विनिर्माण परिशिष्ट ‘क’ में विनिर्दिष्ट अनिवार्य उत्पादन के दौरान प्रक्रिया क्वालिटी नियंत्रणों का प्रयोग करते हुए किया गया है।

या

(ब) परिशिष्ट ‘ख’ में विनिर्दिष्ट ढंग से किए गए निरीक्षण और परीक्षण के आधार पर।

4. निरीक्षण की प्रक्रिया :—(1) विरचित अभ्रक के परेक्षण का निर्यात करने के आशय रखने वाला निर्यातकर्ता, निर्यात संधिदा या आदेश की एक प्रति के साथ संधिदात्मक विनिर्देशों का विवरण देते हुए, अभिकरण को लिखित रूप

में सूचना देगा जिससे कि अभिकरण नियम 3 के अनुसार निरीक्षण कर सके।

टिप्पण : जब निर्यात संविदा द्यौरवार तकनीकी आवश्यकताओं को उपदर्शित नहीं करती है या केवल तमूनों पर आधारित होती है तो निर्यातकर्ता का लिखित विनिर्देश देने चाहिए।

(2) परिशिष्ट 'क' में अधिकथित उत्पादन के दौरान पर्याप्त क्वालिटी नियंत्रण का प्रयोग करते हुए विनिर्मित विरचित अश्रक के निर्यात के लिए और इस प्रयोजन के लिए अभिकरण द्वारा गठित विशेषज्ञों के पैल या अभिकरण ने यह निर्णय दिया है कि विनिर्माण एकक में उत्पादन के दौरान पर्याप्त क्वालिटी नियंत्रण डिलों की पर्याप्त व्यवस्था है, निर्यातकर्ता उपनियम (1) में उल्लिखित सूचना के साथ यह घोषणा भी देगा कि निर्यात के लिए आशयित विरचित अश्रक का परेषण परिशिष्ट 'क' में अधिक पर्याप्त क्वालिटी नियंत्रणों का प्रयोग करते हुए विनिर्मित किया गया है तथा परेषण प्रयोजन के लिए मान्यता प्राप्त मानक विनिर्देशों के अनुरूप है।

(3) निर्यातकर्ता निर्यात किए जाने वाले परेषण पर लगाए गए पहचान चिन्ह भी अभिकरण को देगा।

(4) उप-नियम (1) के अधीन प्रत्येक सूचना निर्यात के लिए परेषण के भेजे जाने से कम से कम 3 दिन पहले दी जाएगी जबकि उपनियम (2) के अधीन घोषणा सहित सूचना विनिर्माता के परिसर से परेषण के भेजे जाने से कम से कम 24 घंटे पूर्व दी जाएगी।

(5) उप-नियम (1) के अधीन सूचना तथा उपनियम (2) के अधीन घोषणा, यदि कोई हो, प्राप्त होने पर, अभिकरण : —

(क) अपना यह समाधान कर लेने पर कि विनिर्माण की प्रक्रिया के दौरान विनिर्माता ने परिशिष्ट-क में अधिकथित पर्याप्त क्वालिटी नियंत्रण का प्रयोग किया था तथा इस प्रयोजन के लिए मान्यता प्राप्त मानक विनिर्देशों के अनुरूप उत्पाद का विनिर्माण करने के लिए इस संबंध में परिषद् द्वारा जारी किए गए अनुदेशों, यदि कोई हों, का पालन किया गया है, 24 घंटों के भीतर यह घोषित करते हुए प्रमाणपत्र जारी करेगा कि विरचित अश्रक का परेषण निर्यात योग्य है उस दशा में जहां विनिर्माता निर्यातकर्ता नहीं है, जहां कहीं आवश्यक समझा जाए अभिकरण द्वारा परेषण को ऐसे सत्यापन और निरीक्षण के अधीन किया जाएगा जिससे कि यह सुनिश्चित हो जाए कि उपरोक्त शर्तों का पालन किया गया है तथापि, निर्यात के लिए आशयित कुछ परेषणों की शन पर ही जांच की जाएगी।

(ख) जहां निर्यातकर्ता ने उपनियम (2) के अधीन यह घोषित नहीं किया है कि परिशिष्ट-क में अधिकथित पर्याप्त क्वालिटी नियंत्रण का प्रयोग किया गया है, तो अपना यह समाधान कर लेने पर कि विरचित अश्रक का परेषण इस प्रयोजन के लिए मान्यता प्राप्त मानक विनिर्देशों के अनुरूप है, परिशिष्ट-ख में अधिकथित के अनुसार किए गए निरीक्षण के आधार पर या दोनों के आधार पर ऐसे निरीक्षण करने के 3 दिन के भीतर यह घोषणा करते हुए प्रमाण-पत्र जारी करेगा कि विरचित अश्रक का परेषण निर्यात योग्य है, परन्तु जहां अभिकरण का ऐसा समाधान नहीं हो पाता है वहां वह यथास्थिति उक्त 24 घंटों या 3 दिन की अवधि के भीतर, निर्यातकर्ता को यह घोषणा करते हुए, प्रमाण-पत्र जारी करने से इंकार कर देगा कि विरचित अश्रक का परेषण निर्यात योग्य है और ऐसे इंकार की सूचना निर्यातकर्ता को उसके कारणों सहित देगा।

(6) जहां विनिर्माता निर्यातकर्ता नहीं है या उप-नियम (5) (ख) के अधीन परेषण निरीक्षण किया गया है या दोनों मामलों में, अभिकरण निरीक्षण की समाप्ति के ठीक पश्चात् पैकेजों को परेषण में इस ढंग से सीलबंद करेगा कि यह सुनिश्चित हो जाए कि सीलबंद पैकेजों में कोई छेड़छाड़ नहीं की जा सकती है। परेषण की अस्वीकृति के मामले में, यदि निर्यातकर्ता ऐसा चाहे तो परेषण अभिकरण द्वारा सीलबंद नहीं किया जा सकेगा परन्तु ऐसे मामलों में, तथापि, निर्यातकर्ता अस्वीकृति के विरुद्ध कोई भी अपील करने का हकदार नहीं होगा।

5. निरीक्षण का स्थान—इन नियमों के अधीन प्रत्येक निरीक्षण या तो :—

(क) ऐसे उत्पादों के विनिर्माता के परिसर पर, या
(ख) उन परिसरों पर किया जाएगा जहां निर्यातकर्ता द्वारा माल प्रस्तुत किया जाता है परन्तु यह तब जब कि निरीक्षण के लिए वहां पर्याप्त सुविधाएं उपलब्ध हों।

6. निरीक्षण फीस—निर्यातकर्ता द्वारा अभिकरण को निरीक्षण फीस का संदाय निम्नानुसार किया जाएगा :—

(1) (क) उत्पादन के दौरान क्वालिटी नियंत्रण स्कीम के अधीन निर्यात के लिए प्रति परेषण न्यूनतम 20 रुपए के अधीन रहते हुए, पोत पर्यन्त निःशुल्क मूल्य के 0.2 प्रतिशत की दर से;

(ख) परेषणानुसार निरीक्षण के अधीन निर्यात के लिए प्रति परेषण न्यूनतम 20 रुपए के अधीन रहते हुए, पोत पर्यन्त निःशुल्क मूल्य के 0.4 प्रतिशत की दर से।

- (2) उन नियमितकर्ताओं के लिए, जो राज्यों/संघ राज्य क्षेत्रों की संबंधित सरकारों के पास लघु उद्योग विनिर्माण एककों के रूप में रजिस्ट्रीकृत हैं, प्रति परेषण न्यूनतम 20 रुपए के अधीन रहते हुए, खण्ड (1) के उपखंड (क) तथा (ख) के लिए क्रमशः 0.18 प्रतिशत और 0.36 प्रतिशत (पौने पर्यन्त निःशुल्क मूल्य के) की दर से।”

7. अपील—(1) नियम 4 के उपनियम (5) के अधीन प्रमाण-पत्र देने से इंकार किए जाने से व्यथित कोई व्यक्ति ऐसे इंकार की सूचना प्राप्त होने के दस दिन के भीतर केन्द्रीय सरकार द्वारा इस प्रयोजन के लिए नियुक्त कम से कम तीन और अधिक से अधिक गान व्यक्तियों के पैनल को अपील कर सकेगा।

(2) विशेषज्ञ पैनल की कुल सदस्यता के कम से कम दो तिहाई सदस्य गैर सरकारी होंगे।

(3) पैनल की गणपूर्ति तीन सदस्यों से होगी।

(4) अपील प्राप्त होने के पन्द्रह दिन के भीतर निपटा दी जाएगी।

उपाबंध-क

[नियम 3 (क) नियम 4 (2) तथा नियम 4 (5) (क) के अंतर्गत देखें]

क्वालिटी नियंत्रण :

विरचित अश्रक का क्वालिटी नियंत्रण विनिर्माता द्वारा इससे संलग्न अनुसूची में दिए गए नियंत्रण के स्तरों सहित नीचे अधिकृत उत्पाद का विनिर्माण, परिरक्षण और पैकिंग के विभिन्न स्तरों पर निम्नलिखित नियंत्रणों का प्रयोग करके सुनिश्चित किया जाएगा।

(1) खरोदी गयी और कच्ची मामग्री नियंत्रण :

(क) विनिर्माता, प्रयुक्त किए जाने वाले विरचित अश्रक की विशिष्टताओं को समाविष्ट करते हुए क्रय विनिर्देश अधिकृत करेगा।

(ख) परीक्षण या निरीक्षण के लिए नमूनों का लिया जाना लेखबद्ध अन्वेषणों पर आधारित होगा।

(ग) निरीक्षण या परीक्षण किए जाने के पश्चात्, स्वीकृत और अस्वीकृत माल के पृथक्करण के लिए और अस्वीकृत सामग्री का निपटारा करने के लिए व्यवस्थित पद्धतियां अपनाई जाएंगी।

(घ) उपरोक्त नियंत्रणों के संबंध में विनिर्माता द्वारा पर्याप्त अभिलेख नियमित और व्यवस्थित ढंग से रखे जाएंगे।

(2) प्रक्रिया नियंत्रण :

(क) विनिर्माण के विभिन्न प्रक्रियों के लिए विनिर्माता द्वारा ब्यौरेवार प्रक्रिया विनिर्देश अधिकृत किए जाएंगे।

(ख) प्रक्रिया विनिर्देशों में अधिकृत प्रक्रियाओं के नियंत्रण के लिए पर्याप्त उपकरण और उपस्कर सुविधाएं होंगी।

(ग) विनिर्माण की प्रक्रिया के दौरान प्रयुक्त नियंत्रणों का सत्यापन करने की संभावना का सुनिश्चित करने के लिए विनिर्माता द्वारा पर्याप्त अभिलेख रखे जाएंगे।

(3) उत्पादन नियंत्रण :

(क) विनिर्माता के पास यह जांच करने के लिए कि उत्पादन अधिनियम की धारा 6 के अधीन मान्यता प्राप्त विनिर्देशों के अनुरूप है या तो अपनी परीक्षण सुविधाएं होंगी या उसकी पहुंच वहां तक होगी जहां ऐसी परीक्षण सुविधाएं विद्यमान हों।

(ख) परीक्षण और निरीक्षण करने के लिए नमूनों का लिया जाना लेखबद्ध अन्वेषणों पर आधारित होगा।

(ग) परीक्षण के लिए नमूना लेने के लिए आने वाले निरीक्षकों के बारे में पर्याप्त अभिलेख नियमित और व्यवस्थित रूप में रखे जाएंगे।

(घ) उत्पादन की जांच करने के लिए नियंत्रण के न्यूनतम स्तर इससे संलग्न अनुसूची में विनिर्दिष्ट के अनुसार होंगे।

(4) परिरक्षण नियंत्रण :

उत्पादन का भंडारकरण और अभिवहन दोनों के दौरान अच्छी तरह से परिरक्षित किया जाएगा।

(5) माप पद्धति नियंत्रण :

उत्पादन में प्रयुक्त डाई, गैजों तथा उपकरणों की कालिका जांच या उनका संशोधन किया जाएगा तथा अभिलेख वृत्त काल के रूप में रखे जाएंगे।

(6) पैकिंग नियंत्रण :

उत्पादन की पैकिंग के लिए अनुसूची में विनिर्दिष्ट नियंत्रणों को पूरा करने की दृष्टि से पैकिंग विनिर्देश अधिकृत किए जाएंगे।

अनुसूची

विरचित अश्रक के लिए नियंत्रण के स्तर :—

[उपाबंध-क का उप-नियम (iii) (घ) देखिए]

क्रम सं० विशेषताएं	अपेक्षाएं	टिप्पणी
1. चाक्षुष विशेषताएं	मान्यता-प्राप्त विनिर्देशों के अनुसार	सभी टुकड़े
2. कर्मकौशल	मान्यता-प्राप्त विनिर्देशों के अनुसार	उत्पादन के प्रत्येक 15 मिनट
3. श्रमाओं की जांचें	मान्यता-प्राप्त विनिर्देशों के अनुसार	प्रत्येक यूनिट के पैनल विशेषज्ञों के सुझावानुसार

2. पैकिंग के लिए नियंत्रण के स्तर

(1) पैकेज देखने में सुन्दर होंगे तथा अभिवहन के दौरान उठाने-धरने की दृष्टि से काफी मजबूत होंगे।

(2) प्रत्येक पैकेज में निम्नलिखित न्यूनतम सूचना के लिए लेबल लगे होंगे:

- (i) मद का नाम,
- (ii) मात्रा या शुद्ध राशि, और
- (iii) पैकिंग की तारीख।

उपाबन्ध-ख

[नियम 3(ख) देखिए]

परिष्कारानुसार निरीक्षण:

1. विरचित अभ्रक का परेक्षण, निरीक्षण और परीक्षण के अधीन यह सुनिश्चित करने के लिए किया जाएगा कि वे अधिनियम की धारा 6 के अधीन मान्यता प्राप्त मानक विनिर्देशों के अनुरूप हैं।

2. संविदात्मक विनिर्देशों में नमूना और पुष्टि मानदण्ड की बाबत विनिर्दिष्ट अनुबन्ध के अभाव में नीचे दी गयी सारणी में यथा अधिकथित लागू होंगे।

सारणी

नमूना सारणी तथा अनुरूपता के लिए मानदण्ड

लॉट में टुकड़ों की संख्या चाक्षुष और संदेशों की संख्या
विमाओं की जांच अनुज्ञेय
के लिए ली गई
संख्या

1-50	सभी	0
51-10,000	50	0
10,001-1,50,000	200	1
1,50,001-5,00,000	315	2
5,00,001 और अधिक	500	3

नोट करिए—एक परेक्षण में एक ही प्रकार और आकार के सभी टुकड़ों से एक लॉट संवर्द्धित किया जाएगा यदि कोई परेक्षण विभिन्न आकारों, क्वालिटी, मोटाइयों का बना है तो निरीक्षण के लिए पृथक् रूप से प्रत्येक नमूना लिया जाएगा।

[फाइल संख्या 6(11)/(81)ई०आई० एण्ड ई०पी०]

S.O. 2953.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963, (22 of 1963), the Central Government hereby makes the following rules, namely:—

1. Short title and Commencement.—(1) These rules may be called the Export of Fabricated Mica (Quality Control and Inspection) Rules, 1983.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires:—

- (a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
- (b) "Council" means the Export Inspection Council established under section 3 of the Act;
- (c) "Agency" means any one of the Export Inspection Agency established under section 7 of the Act;
- (d) "Fabricated Mica" means cut mica blocks and condenser films, cut plates, punched backing plates or backers, punched bridges, spacers, trimmers, transistor plates or transistor pads, washers and discs and all varieties of mica cut or punched to specified shapes or sizes. This, however, does not include micanite, built-up mica, mica tape, mica cloth, mica silk, mica paper, mica folium and mica powder flakes and mica elements wrapped with wire or any other foreign elements.

3. Basis of Inspection:—Inspection of fabricated mica shall be carried out with a view to ensure that the quality of the same conforms to the specifications recognised by the Central Government under section 6 of the Act namely the specifications declared by the exporter to be the agreed specifications of the export contract between the foreign buyer and the exporter:

Provided that the recognised specifications are not below the minimum performance characteristics and packing requirements for fabricated mica as laid down in Annexure-I to the order under section 6 of the Act.

Note: (a) When the export contract does not indicate detailed technical requirements or is based only on samples, the exporter should furnish written specifications:

(b) The method of tests would be as per national standard;

either

(a) by ensuring that the products have been manufactured by exercising necessary in-process quality control as specified in Appendix-A.

or

(b) on the basis of inspection and testing carried out in the manner specified in Appendix-B.

4. Procedure of Inspection.—(1) An exporter intending to export a consignment of fabricated mica shall give an intimation in writing giving details of the contractual specification along with a copy of the export contract or order to enable the Agency to carry out inspection in accordance with rule 3

Note: When the export contract does not indicate detailed technical requirements or is based only on samples, the exporter should furnish written specification along with the samples.

(2) For the export of fabricated mica manufactured by exercising adequate in-process quality control as laid down in Appendix 'A' and in case the manufacturing unit has been adjudged as having adequate in-process quality control drills by the Agency or Panel of Experts constituted by the Agency for this purpose, the exporter shall also submit along with the intimation mentioned in sub-rule (1) a declaration that the consignment of fabricated mica intended for export has been prepared by exercising adequate quality control as laid down in Appendix-A and that the consignment conforms to the standard specifications recognised for the purpose.

(3) The exporter shall furnish to the Agency the identification marks applied on the consignment to be exported;

(4) Every intimation under sub-rule (1) shall be given not less than 3 days prior to the despatch of the consignment for export, while intimation along with the declaration under sub-rule (2) shall be given not less than 24 hours prior to the despatch of the consignment from the manufacturers' premises.

(5) On receipt of the intimation under sub-rule (1) and the declaration, if any, under sub-rule (2), the Agency:—

(a) On satisfying itself that during the process of manufacture, the manufacturer had exercised adequate quality

control as laid down in Appendix-A and followed the instructions, if any, issued by the Council in this regard to manufacture the product to conform to the standard specifications recognised for the purpose, shall within 24 hours issue a certificate, declaring the consignment of fabricated mica as exportworthy. In case, where the manufacturer is not the exporter, the consignment shall be subjected to such physical verifications and inspection as may be considered necessary by the Agency to ensure that the above conditions are complied with. The Agency shall, however, conduct spot checks on some of the consignments meant for export.

(b) In case where the exporter has not declared under sub-rule (2) that adequate quality control as laid down in Appendix-A had been exercised, on satisfying itself that the consignment of fabricated mica conforms to the standard specifications recognised, for the purpose on the basis of inspection carried out as laid down in Annexure-B or on the basis of both, shall within 3 days of carrying out such inspection issue a certificate declaring the consignment of fabricated mica as exportworthy; provided that where the Agency is not so satisfied, it shall within the said period of 24 hours or three days, as the case may be, refuse to issue a certificate to the exporter declaring the consignment of fabricated mica as exportworthy and communicate such refusal to the exporter alongwith the reasons therefor.

(6) In case where the manufacturer is not the exporter or the consignment is inspected under sub-rule (5)(b) or in both the case, the Agency shall, immediately after completion of the inspection, seal the packages in the consignment in a manner as to ensure that the sealed packages cannot be tampered with. In case, of rejection of the consignment, if the exporter so desires, the consignment may not be sealed by the Agency but in such cases, however, the exporter shall not be entitled to prefer any appeal against the rejection.

5. Place of Inspection.—Every inspection under these rules shall be carried out either:—

- (a) at the premises of the manufacturer of such products; or
- (b) at the premises at which the goods are offered by the exporter provided adequate facilities for inspection exists therein.

6. Inspection Fee.—Inspection fee shall be paid by the exporter to the Agency as under:—

- (i) (a) for exports under inprocess quality control scheme at the rate of 0.2 percent of the FOB value subject to a minimum of Rs. 20 per consignment;
- (b) for export under consignmentwise inspection at the rate of 0.4 percent of the FOB value subject to a minimum of Rs. 20 per consignment.
- (ii) subject to the minimum of Rs. 20 per consignment at the rate payable under sub clauses (a) and (b) of clause (i), shall be 0.18 per cent and 0.36 per cent (of the FOB value) respectively, for exporter, who are registered as Small Scale Manufacturing Units with the concerned Government of States/Union Territories.

7. Appeal—(1) Any person aggrieved by the refusal of the Agency to issue a certificate under sub-rule (5) of rule 4 may, within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of Experts consisting of not less than three but not more than seven persons appointed for the purpose by the Central Government.

(2) The Panel shall consist of at least two-thirds of non-officials of the total membership of the Panel of Experts.

(3) The quorum for the Panel shall be three; and

(4) The appeal shall be disposed of within fifteen days of the receipt.

APPENDIX-A

[See under Rule 3(A) Rule 4(2) and Rule 4(5) (a)]

QUALITY CONTROL:

The quality control of fabricated mica shall be ensured by the manufacturer by effecting the following controls at different stages of manufacture, preservation and/packing of the products as laid down below, together with the levels of controls as set out in the Schedule appended hereto.

(i) Purchase and raw material control:—(a) Purchase specifications shall be laid down by the manufacturer incorporating the characteristics of processed mica to be used.

(b) The sampling for inspection or test to be carried out shall be based on the recorded investigations.

(c) After the inspection or test is carried out, systematic methods shall be adopted in segregating the accepted and rejected materials and for disposal of the rejected materials.

(d) Adequate records in respect of the aforesaid controls shall be regularly and systematically maintained by the manufacturer.

(ii) Process Control.—(a) Detailed process specifications shall be laid down by the manufacturer for different stages of manufacture.

(b) Equipment and instrumentation facilities shall be adequate to control the processes as laid down in the process specifications.

(c) Adequate records shall be maintained by the manufacturers to ensure the possibility of verifying the controls exercised during the process of manufacture.

(iii) Product Control.—(a) The manufacturer shall have either his own testing facilities or shall have access to such testing facilities existing elsewhere to check up whether the product conforms to specifications recognised under section 6 of the Act.

(b) Sampling for test and inspection to be carried out shall be based on the recorded investigation.

(c) Adequate records in respect of sampling and tests carried out shall be regularly and systematically maintained.

(d) The minimum levels of controls to check the products shall be as specified in the Schedule appended hereto.

(iv) Preservation Control.—The product shall be well preserved both during the storage and transit.

(v) Meteorological Control.—Dies, gauges and instruments used in the production shall be periodically checked or calibrated and records shall be maintained in the form of history.

(vi) Packing Control:—

Packing specification shall be laid down with a view to satisfying the controls as mentioned in the Schedule for packing of the products.

THE SCHEDULE

1. LEVELS OF CONTROL FOR FABRICATED MICA.—

[See sub-paragraph (iii) (d) of Appendix-A]

Sl. No.	Characteristic	Requirements	Frequency
1.	Visual Characteristics	As per recognised specification	All pieces
2.	Workmanship	As per recognised specification	Every 15 minutes of production.
3.	Dimensional Checks	As per recognised specification	As per suggestion of panel of Experts for each unit.

2. LEVELS OF CONTROL FOR PACKING:

(1) The packages shall have a good presentability and sufficient strength to withstand handling during transit.

(2) Every package shall be labelled with the following minimum information:—

- (i) Name of the item ;
- (ii) Quantity or nett mass; and
- (iii) Date of Packing.

APPENDIX-B

[(See Under Rule 3(B))]

CONSIGNMENT INSPECTION :

1. The consignment of fabricated mica shall be subjected to inspection and testing to ensure conformity of the same to the standard specifications recognised under section 6 of the Act.

2. In the absence of specific stipulation in the contractual specification as sampling and conformity criteria; the same laid-down in the Table given below shall become applicable.

TABLE

SCALE OF SAMPLING AND CRITERIA OF CONFORMITY

No. of pieces in the Lot	No. to be taken for visual & dimensional checks	Permissible No. of defectives
1—50	All	0
51—10,000	50	0
10,000—1,50,000	200	1
1,50,001—5,00,000	315	2
5,00,001 and above	500	3

N.B.—In a single consignment all pieces of same type and form shall constitute a lot. If a consignment consists of different sizes, qualities, thicknesses, each would be sampled separately for inspection.

[F.No. 6(11)/81-EI&EP]

का० आ० 2954.—निर्यात (कवालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार विरचित अभ्रक का निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण करने के लिए निम्नलिखित अधिकरणों को मान्यता देती है, अर्थात् :—

1. निर्यात निरीक्षण अधिकरण—कलकत्ता, वर्ल्ड ट्रेड सेंटर, 14/1 बी० एजरा स्ट्रीट, (7वां मंजिल) कलकत्ता-700001.
2. निर्यात निरीक्षण अधिकरण—मद्रास, 213, रोयापेटा हाई रोड, मद्रास-600014.
3. निर्यात निरीक्षण अधिकरण—कोचीन, मनोहर बिल्डिंग, महात्मा गांधी रोड, एर्नाकुलम, कोचीन-682011.

4. निर्यात निरीक्षण अधिकरण—बम्बई, अमन चैम्बर्स (चौथी मंजिल) 113, महाधि कार्वे रोड, बम्बई-400004.
5. निर्यात निरीक्षण अधिकरण—दिल्ली, म्युनिसिपल मार्केट बिल्डिंग, 3, सरस्वती मार्ग, करोल बाग, नयी दिल्ली-110005.

स्पष्टीकरण: “विरचित अभ्रक से” विनिर्दिष्ट आकृतियों या आकारों में संघारित फिल्में, कट प्लेटें, छिप्रित प्लेटें या बैकर, छिप्रित ब्रिज स्पेसर, ट्रिंकर, ट्रांजिस्टर प्लेटें, या ट्रांजिस्टर पैड वाशर और डिस्क तथा सभी किस्मों का कटा हुआ या छिद्र किया हुआ अभ्रक अभिप्रेत है।

तथापि, इसमें माइकानाइट बिल्ट अप-अभ्रक अभ्रक फोलियम तथा अभ्रक चूर्ण या अभ्रक फ्लेक और तार या किसी अन्य बाहरी तत्व में लिपटे हुए अभ्रक तत्व सम्मिलित नहीं हैं।

[फाइल सं० 6(11)/81/ई०आई०एण्ड ई०पी०]
सी०बी० कुकरेती, संयुक्त निदेशक

S.O. 2954.—In exercise of the powers conferred by section 7 of the Export (Quality control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises the following agencies for quality control and inspection of Fabricated Mica prior to its export namely :—

1. Export Inspection Agency-Calcutta, World, Trade Centre 14/1B, Ezra Street, (7th floor), Calcutta-700001.
2. Export Inspection Agency-Madras, 213 Royapettah High Road, Madras-600014.
3. Export Inspection Agency-Cochin, Manohar Building, Mahatma Gandhi Road, Ernakulam, Cochin-682011.
4. Export Inspection Agency-Bombay, Aman Chambers (4th floor), 113, M. Karve Road, Bombay-400004.
5. Export Inspection Agency-Delhi Municipal Market Building, 3, Saraswati Marg, Karol Bagh, New Delhi-110005.

Explanation.—“Fabricated Mica” means cut mica blocks and condensed films, cut plates, punched backing plates or backers, punched bridges, spacers, trimmers, transistor plates or transistor pads washers and discs and all varieties of mica cut or punched to specified shapes or sizes.

This, however, does not include micranite built up mica, mica tape, mica cloth, mica silk, mica paper, mica folium and mica powder/flakes and mica elements wrapped with wire or any other foreign elements.

[F. No. 6(11)/81-EI&EP]

C. B. KUKRETI, Jt. Director.

(वाणिज्य विभाग)

नई दिल्ली, 11 जुलाई, 1983

का०आ० 2955.—केन्द्रीय सरकार, सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण नियम, 1972 के नियम 3 और

नियम 4 के साथ पठित सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण अधिनियम, 1972 (1972 का 13) की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग * करते हुए, निम्नलिखित व्यक्तियों को सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण का सदस्य नियुक्त करने हैं :—

1. अध्यक्ष,
सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण, कोचीन
2. निदेशक,
सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण, कोचीन।
3. श्री बी० के० नय्यर, सदस्य, लोक सभा।
4. श्री नरसिम्हायामन, सदस्य लोक सभा।
5. श्री पी० एन० भुगुल, सदस्य, राज्य सभा।
6. श्री एस० पी० जाखनवाल, संयुक्त सचिव, कृषि और सहकारिता विभाग, नई दिल्ली।
7. श्री जी० सी० भंडारी, उप सचिव (वित्त), वाणिज्य मंत्रालय, नई दिल्ली।
8. उप सचिव या निदेशक जो नियति अभिवर्धन (सामुद्रिक उत्पाद) का भारसाधक है, वाणिज्य मंत्रालय नई दिल्ली।
9. श्री एस० के० माथुर, उप महानिदेशक, नौवहन, मुम्बई।
10. श्री ए० रामास्वामी, आयोगिक सलाहकार, तकनीकी विकास महा निदेशालय, नई दिल्ली।
11. निदेशक, मीन उद्योग पाण्डिचेरी सरकार, पाण्डिचेरी।
12. निदेशक, मीन उद्योग आन्ध्र प्रदेश सरकार, हैदराबाद।
13. निदेशक, मीन उद्योग, कर्नाटक सरकार, बंगलूर।
14. सचिव, वन और मीन उद्योग विभाग, उड़ीसा सरकार, भुवनेश्वर।
15. निदेशक, मीन उद्योग तमिलनाडु सरकार, मद्रास।

16. सचिव, मीन उद्योग विभाग, पश्चिम बंगाल सरकार, कलकत्ता।
17. सचिव, मीन उद्योग विभाग, केरल सरकार, त्रिवेन्द्रम।
18. आयुक्त, मीन उद्योग, गुजरात सरकार, अहमदाबाद।
19. सचिव, कृषि और सहकारिता विभाग, महाराष्ट्र सरकार, मुम्बई।
20. श्री एन० पी० मिह, महाप्रबन्धक, टाटा अयल मिल्स, मुम्बई।
21. श्री एस० एन० जोशी, हेमा इंटरप्राइजेज, बेरावल, गुजरात।
22. श्रीमती मनोरमा माधवराज, कॉरपोरेट केनिंग कंपनी, मालपे, कर्नाटक।
23. श्री बी० ए० कुरियन, साउथ सी फूड्स लिमिटेड, मद्रास।
24. श्री टी० एस० जोजक, जे. जे. माइजो कम्पनी, मद्रास।
25. प्रो० पी० जे० कुरियन, संसद सदस्य, 222, नार्थ एवेन्यू, नई दिल्ली।
26. समुद्री उत्पाद उद्योग में सभी व्यक्तियों के हितों का प्रतिनिधित्व करने वाला एक प्रतिनिधि जिसे बाद में अधिसूचित किया जायगा।
27. श्री सी० चैरियन, चैमीन्स, कोचीन।
28. श्री ई० जी० सिलार, निदेशक, केन्द्रीय सामुद्रिक मीन उद्योग अनुसंधान संस्थान, कोचीन।
29. श्री ए० ए० समद, ब्लू माउन्ट, क्विलोन, केरल।
30. श्री अजीत पंजा, एम० एल० ए० पश्चिम बंगाल, कलकत्ता।
31. श्री एफ० ए० फर्नण्डो, तृतीकोरिन।

टिप्पण :

सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण के उपरि-
नामिता सभी सदस्यों में अध्यक्ष, निदेशक, लोकसभा
के दो सदस्यों और राज्यसभा के एक सदस्य से

भिन्न हैं, राज्यवे में इन अधिसूचना के प्रकाशन का भारीख से तीन वर्ष की अवधि के लिए पद धारण करेंगे। श्री बी० के० नायर और श्री भक्तारिया थामस, सदस्य लोकसभा 4 अप्रैल, 1986 तक पद धारण करेंगे और श्री पी० एन० सुकुल, सदस्य, राज्यसभा 4 मई, 1985 तक पद धारण करेंगे।

[सं० एम० 18/81-ई पी (एम पी)]

जयन्दर सिंह, उप सचिव।

(Department of Commerce)

New Delhi, the 11th July, 1983

S.O. 2955.—In exercise of the powers conferred by sub-section (3) of section 4 of the Marine Products Export Development Authority Act, 1972 (13 of 1972) read with rule 3 and rule 4 of the Marine Products Export Development Authority Rules, 1972, the Central Government hereby appoints the following persons to be members of the Marine Products Export Development Authority, namely:—

1. Chairman,
The Marine Products
Export Development Authority,
Cochin. Chairman
2. Director,
The Marine Products
Export Development Authority,
Cochin. Member, Ex-Officio
3. Shri B. K. Nair,
Member of Lok Sabha. Member
4. Shri Skariah Thomas,
Member of Lok Sabha. Member
5. Shri P. N. Sukul,
Member of Rajya Sabha. Member
6. Shri S. P. Jakhanwal,
Joint Secretary,
Department of Agriculture
and Cooperation, New Delhi. Member
7. Shri G. C. Bhandari,
Deputy Secretary (Finance),
Ministry of Commerce,
New Delhi. Member
8. Deputy Secretary or Director
in-charge of Export Promotion
(Marine Products),
Ministry of Commerce,
New Delhi. Member
9. Shri S. K. Mathur,
Deputy Director General
of Shipping,
Bombay. Member
10. Shri S. Ramaswamy,
Industrial Adviser,
Directorate General
of Technical Development,
New Delhi. Member
11. Director of Fisheries,
Government of Pondicherry,
Pondicherry. Member
12. Director of Fisheries,
Government of Andhra Pradesh,
Hyderabad. Member
13. Director of Fisheries,
Government of Karnataka,
Bangalore. Member

14. Secretary,
Forest and Fisheries
Department,
Government of Orissa,
Bhubaneswar. Member
15. Director of Fisheries,
Government of Tamilnadu,
Madras. Member
16. Secretary,
Fisheries Department,
Government of West Bengal,
Calcutta. Member
17. Secretary,
Fisheries Department,
Government of Kerala,
Trivandrum. Member
18. Commissioner of Fisheries,
Government of Gujarat,
Ahmedabad. Member
19. Secretary,
Department of Agriculture
and Cooperation,
Government of Maharashtra,
Bombay. Member
20. Shri N. P. Singh,
General Manager,
Tata Oil Mills,
Bombay. Member
21. Shri M. N. Joshi,
Hema Enterprises,
Veraval,
Gujarat. Member
22. Shrimati Manorama Madhavraj,
Coronet Canning Company,
Malpe Karnataka. Member
23. Shri V. A. Kurien,
South Seafoods Limited,
Madras. Member
24. Shri T. M. Joseph,
George Maijo Company,
Madras. Member
25. A representative to represent the interests of persons
employed in the marine products industry, to be
notified later.
26. Shri C. Cherien,
Chemmcens,
Cochin. Member
27. Shri E. G. Silas,
Director,
Central Marine Fisheries
Research Institute,
Cochin. Member
28. Shri A. A. Samad,
Blue Mount,
Quilon, Kerala. Member
29. Shri Ajit Panja,
M.L.A.,
West Bengal,
Calcutta. Member
30. Shri F. A. Fernando,
Tuticorin. Member

Note: All the members of the Marine products Export Development Authority named above other than the Chairman, the Director, the two members of the Lok Sabha and one Member of the Rajya Sabha shall hold office for a period of three years from the date of publication of this notification in the Official Gazette Shri B. K. Nair and Shri Skariah Thomas, Members of Lok Sabha, shall hold office upto 4th April, 1986 and Shri P. N. Sukul, Member of Rajya Sabha, shall hold office upto 4th May, 1985.

[No. 1M/18/81-EP(MP)]

JAINDER SINGH, Dy. Secy.

इस्पात और खान मंत्रालय

(इस्पात विभाग)

नई दिल्ली, 4 जुलाई, 1983

का०आ० 2956.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में नेशनल मिनेरल डेवलपमेंट कारपोरेशन की हिरा खान परियोजना, पन्ना (मध्य प्रदेश) को, जिसके कर्मचारीकुन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[ई०-11011/3/83-हिन्दी]

विजय कुमार अग्रवाल, उप सचिव

MINISTRY OF STEEL AND MINES

(Department of Steel)

New Delhi, the 4th July, 1983

S.O. 2956.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use of Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies Hira Mining Project, Panna (M.P.) of National Mineral Development Corporation Ltd. the staff whereof have acquired the working knowledge of Hindi.

[No. E. 11011/3/83-Hindi]

V. K. AGGARWAL, Dy. Secy.

नई दिल्ली, 8 जुलाई, 1983

का०आ० 2957.—केन्द्रीय सरकार एतद्वारा आसाम सिलिमैनाइट लिमिटेड (रिफ्रेक्टरी संयंत्र का अर्जन और अन्तरण) अधिनियम, 1976 (1976 का 22) की धारा 14 की उप-धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए कलकत्ता के क्षेत्रीय लोहा तथा इस्पात उप-नियंत्रक श्री जिशित कुमार पाल को 9 जून, 1983 के अपराह्न से अगले आदेश दिए जाने तक संदाय आयुक्त नियुक्त करती है।

[संख्या 19(1)/82-आर०एम०-II]

अ०नी० खन्ने, अवर सचिव

New Delhi, the 8th July, 1983

S.O. 2957.—In exercise of the powers conferred by sub-section (i) of Section 14 of the Assam Sillimanite Limited (Acquisition and Transfer of Refractory Plant) Act, 1976 (22 of 1976), the Central Government hereby appoint Shri Nisit Kumar Pal, Deputy Regional Iron and Steel Controller, Calcutta, also as the Commissioner of Payment with effect from afternoon of 9th June, 1983 until further orders.

[No. (1)/82-RM-II]

A. N. KHALE, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 6 जुलाई, 1983

का०आ० 2958.—अखिल भारतीय आयुर्विज्ञान संस्थान अधिनियम, 1956 (1956 का 25) की धारा 4 के खंड (घ) के अनुसरण में, केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों को अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली का सदस्य मनोनीत करती है, अर्थात् :-

1. श्रीमती सरला ग्रेवाल शिक्षा और संस्कृति मंत्रालय सचिव, की प्रतिनिधि शिक्षा और संस्कृति मंत्रालय

2. संयुक्त सचिव (वित्तीय बित्त मंत्रालय का प्रतिनिधि सचिव), स्वास्थ्य और परिवार कल्याण मंत्रालय

[संख्या बी० 16011/4/82-एम०ई० (पी०जी०)]

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 6th July, 1983

S.O. 2958.—In pursuance of clause (d) of Section 4 of the All India Institute of Medical Sciences Act, 1956 (25 of 1956), the Central Government hereby nominates the following persons to be members of the All India Institute of Medical Sciences, New Delhi, namely:—

1. Smt. Sarla Grewal Representative of the Secretary, Ministry of Education and Culture. Ministry of Education and Culture.
2. Joint Secretary (Financial Adviser) Representative of the Ministry of Finance. Ministry of Health & Family Welfare.

[No.V.16011/4/82-ME(PG)]

का०आ० 2959.—अखिल भारतीय आयुर्विज्ञान संस्थान नियम, 1956 के नियम 3 के साथ पठित अखिल भारतीय आयुर्विज्ञान संस्थान अधिनियम, 1956 (1956 का 25) की धारा 4 के खंड (च) के अनुसरण में केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों को अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली के सदस्य मनोनीत करती है, अर्थात् :-

1. डॉ० शमेर सिंह, कार्यकारी निदेशक, आयुर्विज्ञान संस्थान, बनारस हिन्दू विश्वविद्यालय, वाराणसी, उ०प्र०

2. डा० आर०जी०पवार,
डीन, एम०पी० शाह मेडिकल कॉलेज,
जाम नगर, तथा डीन,
फैकल्टी ऑफ मेडिसिन,
सौराष्ट्र विश्वविद्यालय,
राजकोट, गुजरात

3. डा० एन० जमान,
प्रिंसिपल एवं अध्यापक गणित विभाग,
मेडिकल कॉलेज,
डिब्रूगढ़ (असम)

4. डा० वी०एस० चौबे,
डीन चिकित्सा संकाय,
नागपुर विश्वविद्यालय,
नागपुर ।

[सं० वी० 16011/4/82-एमई० (पी०जी०)]

S.O. 2950.—In pursuance of clause (f) of Section 4 of the All India Institute of Medical Sciences Act, 1956 (25 of 1956) read with the rule 3 of the All India Institute of Medical Sciences Rules, 1958 the Central Government hereby nominates the following persons to be members of the All India Institute of Medical Sciences, New Delhi, namely :—

1. Dr. Shamer Singh, Acting Director,
Institute of Medical Sciences,
Banaras Hindu University, Varanasi, U.P.
2. Dr. R. G. Pawar, Dean,
M.P. Shah Medical College, Jamnagar
and Dean, Faculty of Medicine,
University of Saurashtra, Rajkot, Gujarat.
3. Dr. N. Zaman,
Principal and Head of the Department of
Surgery, Medical College, Dibrugarh (Assam).
4. Dr. B. S. Coubey,
Dean, Faculty of Medicine,
Nagpur University, Nagpur.

[No. V. 16011/4/82-ME(PG)]

का० आ० 2960.—अखिल भारतीय आयुर्विज्ञान संस्थान अधिनियम, 1956 (1956 का 25) की धारा 4 के खंड (ड) के अनुसरण में, केन्द्रीय सरकार एतद्वारा प्रो० (श्रीमती) अर्चना शर्मा, वनस्पति विज्ञान विभाग, विश्वविद्यालय विज्ञान कॉलेज, कलकत्ता, गैर-चिकित्सा विज्ञानी, भारतीय विज्ञान कांग्रेस संघ की प्रतिनिधि तथा निम्नलिखित व्यक्तियों को अखिल भारतीय आयुर्विज्ञान संस्थान, नई दिल्ली का सदस्य मनोनीत करती है, अर्थात् :—

1. श्री वी० शंकरानन्द;
केन्द्रीय स्वास्थ्य और परिवार कल्याण मंत्री
2. डा० एम० एम० मिश्र,
सचिव, स्वास्थ्य और परिवार कल्याण मंत्रालय
3. डा० सन्तप्पा,
कुलपति,
मद्रास विश्वविद्यालय,

4. डा० पी० चन्द्र,
डीन, अखिल भारतीय आयुर्विज्ञान संस्थान ।

[सं० वी० 16011/4/82-एमई० (पी०जी०)]
पी० पी० चौहान, संयुक्त सचिव

S.O. 2960.—In pursuance of clause (e) of Section 4 of the All India Institute of Medical Sciences Act, 1956 (25 of 1956), the Central Government hereby nominates Prof. (Mrs.) Archana Sharma, Department of Botany, University College of Sciences, Calcutta, a non-medical scientist, representing the Indian Science Congress Association and the following persons to be members of the All India Institute of Medical Sciences, New Delhi, namely :—

1. Shri B. Shankaranand,
Union Minister for Health and Family Welfare.
2. Dr. S. S. Sidhu,
Secretary,
Ministry of Health and Family Welfare.
3. Dr. Santappa,
Vice-Chancellor,
Madras University, Madras.
4. Dr. P. Chandra,
Dean, All India Institute of Medical Sciences,
New Delhi.

[No. V. 160/4/82-ME(PG)]

P. P. CHAUHAN, Jt. Secy.

खाद्य और नागरिक पूर्ति मंत्रालय

(खाद्य विभाग)

नई दिल्ली, 23 जून, 1983

आदेश

का० आ० 2961.—केन्द्रीय सरकार, विकास परिषद्, (प्रक्रिया संबंधी) नियम, 1952 के नियम 3, 4 और 5 के साथ पठित उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राजपत्र में इस आदेश के प्रकाशन की तारीख से दो वर्ष की अवधि के लिए फल और मागभाजी आदि संस्कार उद्योग विकास परिषद् का गठन करती है, जिसमें निम्नलिखित सदस्य होंगे, अर्थात् :—

- | | |
|---|---------|
| 1. सचिव, खाद्य विभाग, नई दिल्ली | अध्यक्ष |
| 2. सलाहकार (कृषि), योजना आयोग, नई दिल्ली | सदस्य |
| 3. संयुक्त सचिव, खाद्य विभाग, नई दिल्ली | सदस्य |
| 4. संयुक्त सचिव, स्वास्थ्य मंत्रालय, नई दिल्ली | सदस्य |
| 5. संयुक्त सचिव, वाणिज्य मंत्रालय, नई दिल्ली | सदस्य |
| 6. कृषि आयुक्त, कृषि और सहकारिता विभाग,
कृषि मंत्रालय, नई दिल्ली | सदस्य |
| 7. केन्द्रीय उत्पाद-शक्क और सीमा-शुल्क बोर्ड, नई दिल्ली के एक उद्देश्य नाम निर्देशिनी | सदस्य |
| 8. तकनीकी विकास महानिदेशालय नई दिल्ली के एक उद्देश्य नाम निर्देशिनी | सदस्य |

9. निदेशक, केन्द्रीय खाद्य प्रौद्योगिकी अनुसंधान संस्थान, मैसूर	सदस्य	2. Adviser (Agriculture) Planning Commission, New Delhi.	Member
10. निदेशक, भारतीय उद्यान कृषि अनुसंधान संस्थान, बंगलौर	सदस्य	3. Joint Secretary, Department of Food, New Delhi.	Member
11. प्रबंध निदेशक, राष्ट्रीय सहकारी विकास निगम, नई दिल्ली	सदस्य	4. Joint Secretary, Ministry of Health, New Delhi.	Member
12. प्रबंध निदेशक, मॉडर्न फूड इंडस्ट्रीज (इंडिया) लिमिटेड, नई दिल्ली	सदस्य	5. Joint Secretary, Ministry of Commerce, New Delhi.	Member
13. प्रबंध निदेशक, पूर्वोत्तर प्रादेशिक कृषि विपणन निगम, शिलांग	सदस्य	6. Agriculture Commissioner, Department of Agriculture, and Co-operation, Ministry of Agriculture, New Delhi.	Member
14. श्रीमती विद्या स्टोक्स, उप-अध्यक्ष, भारत कृषक समाज, दिल्ली	सदस्य	7. A senior nominee from Central Board of Excise & Customs, New Delhi.	Member
15. श्री मनमोहन सिंह, अध्यक्ष और प्रबंध निदेशक, फ्रिक इंडिया लिमिटेड, जीवन विहार भवन, संसद मार्ग, नई दिल्ली	सदस्य	8. A senior nominee from Directorate General of Technical Development, New Delhi.	Member
16. श्री महावीर जोशी, अध्यक्ष, गुजरात एग्रो इंडस्ट्रीज कारपोरेशन, खेत उद्योग भवन, उच्च न्यायालय के सामने नवरांगपुरा, अहमदाबाद-14	सदस्य	9. Director, Central Food Technological Research Institute, Mysore.	Member
17. भारतीय औद्योगिक वित्त निगम से एक ज्येष्ठ नाम निर्देशिनी	सदस्य	10. Director, Indian Institute of Horticultural Research, Bangalore.	Member
18. अध्यक्ष, प्रसंस्कृत खाद्य निर्यात अभिवृद्धि परिषद्, नई दिल्ली	सदस्य	11. Managing Director, National Cooperative Development Corporation, New Delhi.	Member
19. अध्यक्ष अखिल भारतीय खाद्य परिरक्षक संलग्न, नई दिल्ली	सदस्य	12. Managing Director, Modern Food Industries (India) Ltd., New Delhi.	Member
20. अध्यक्ष, राष्ट्रीय राज्य कृषि उद्योग निगम-संगम	सदस्य	13. Managing Director, North-Eastern Regional, Agricultural Marketing, Corporation, Shillong.	Member
21. फल और सब्जी विधायन उद्योग में कार्यरत कर्मचारियों का एक प्रतिनिधि	सदस्य	14. Smt. Vidya Stokes, Vice-Chairman, Bharat Krishak Samaj, Delhi.	Member
22. निदेशक (प्रसंस्करण), खाद्य विभाग, नई दिल्ली	सदस्य-सचिव	15. Shri Manmohan Singh, Chairman & Managing Director, Frick India Ltd., Jeevan Vihar, Building, Parliament Street, New Delhi.	Member

[सं० 4-10/82-एफ० एन० बी०-4]

पी० एस० साहनी, अवर सचिव

MINISTRY OF FOOD AND CIVIL SUPPLIES

(Department of Food)

New Delhi, the 23rd June, 1983

ORDER

S.O. 2961.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with Rules 3, 4 and 5 of the Development Councils (Procedural) Rules 1952 the Central Government hereby constitutes for a period of two years with effect from the date of publication of this Order in the Official Gazette, the Development Council for Fruit and Vegetable Processing Industry consisting of the following members, namely :—

1. Secretary, Department of Food, New Delhi.	Chairman
--	----------

444 GI/83-3

16. Shri Mahavir Joshi, Chairman, Gujarat Agro Industries Corporation, Khet Udyog Bhavan, Opposite High Court, Navrangpura, Ahmedabad-14.	Member
17. A senior nominee from Industrial Finance Corporation of India.	Member
18. Chairman, Processed Food Export Promotion Council New Delhi.	Member
19. President, All India Food Preservers' Association, New Delhi.	Member
20. Chairman, National Association of State Agro-Industries Corporations.	Member

21. A representative of persons employed in the Fruit and Vegetable Processing Industry. Member
22. Director (Processing), Department of Food, New Delhi. Member-Secretary.

[No. 4-10/82-FNB.IV]

P. S. SAHNY, Under Secy.

the office, the staff where of have acquired the working knowledge of Hindi :—

1. Regional Office,
Central Hindi Directorate,
M/o Education & Culture,
959, Khairatabad, Hyderabad-500004.

[No. F. 13-1/80 Admn. I]

K. K. KHULLAR, Director (Languages)

संस्कृति विभाग

(भारतीय पुरातत्व सर्वेक्षण)

नई दिल्ली, 8 जुलाई, 1983

(पुरातत्व)

शिक्षा तथा संस्कृति मंत्रालय

नई दिल्ली, 7 जुलाई, 1983

का० आ० 2962.—राजभाषा (संघ के सरकारी काम काज के उपयोग के लिये) नियमावली, 1976 के नियम 10 के अधिनियम 4 के अनुसरण में केन्द्रीय हिंदी निदेशालय ऐतद्वारा उस कार्यालय की अधिसूचना जारी करता है जहां कर्मचारियों को हिंदी का व्यावहारिक ज्ञान प्राप्त है :—

1. क्षेत्रीय कार्यालय, केन्द्रीय हिंदी निदेशालय
(शिक्षा एवं संस्कृति मंत्रालय)
959, खैरतबाद,
हैदराबाद-500004

[सं०एफ० 13-1/80 प्रशा०-1]

के० के० खुल्लर, निदेशक (भाषा)

MINISTRY OF EDUCATION & CULTURE

New Delhi, the 7th July, 1983

S.O. 2962.—In pursuance of Sub-Rule-4 of Rule 10 of the Official Language (use for the official purposes of the Union) Rules, 1976 the Central Hindi Directorate hereby notifies

का० आ० 2963.—केन्द्रीय सरकार ने, प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) के अधीन यथाअपेक्षित भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 14 अगस्त, 1982, पृष्ठ 2921 पर प्रकाशित भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं० का० आ० 2886, तारीख 28 जुलाई, 1982 द्वारा उससे उपाबद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की दो मास की सूचना दी थी और उक्त अधिसूचना की एक प्रति उस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट उक्त प्राचीन संस्मारक के समीप सहज दृश्य स्थान पर चिपका दी गई थी।

और उक्त अधिसूचना की प्रतियां 26 अगस्त, 1982 को जनता को उपलब्ध करा दी गई थी;

और जनता से प्राप्त आक्षेपों पर केन्द्रीय सरकार ने विचार कर लिया है;

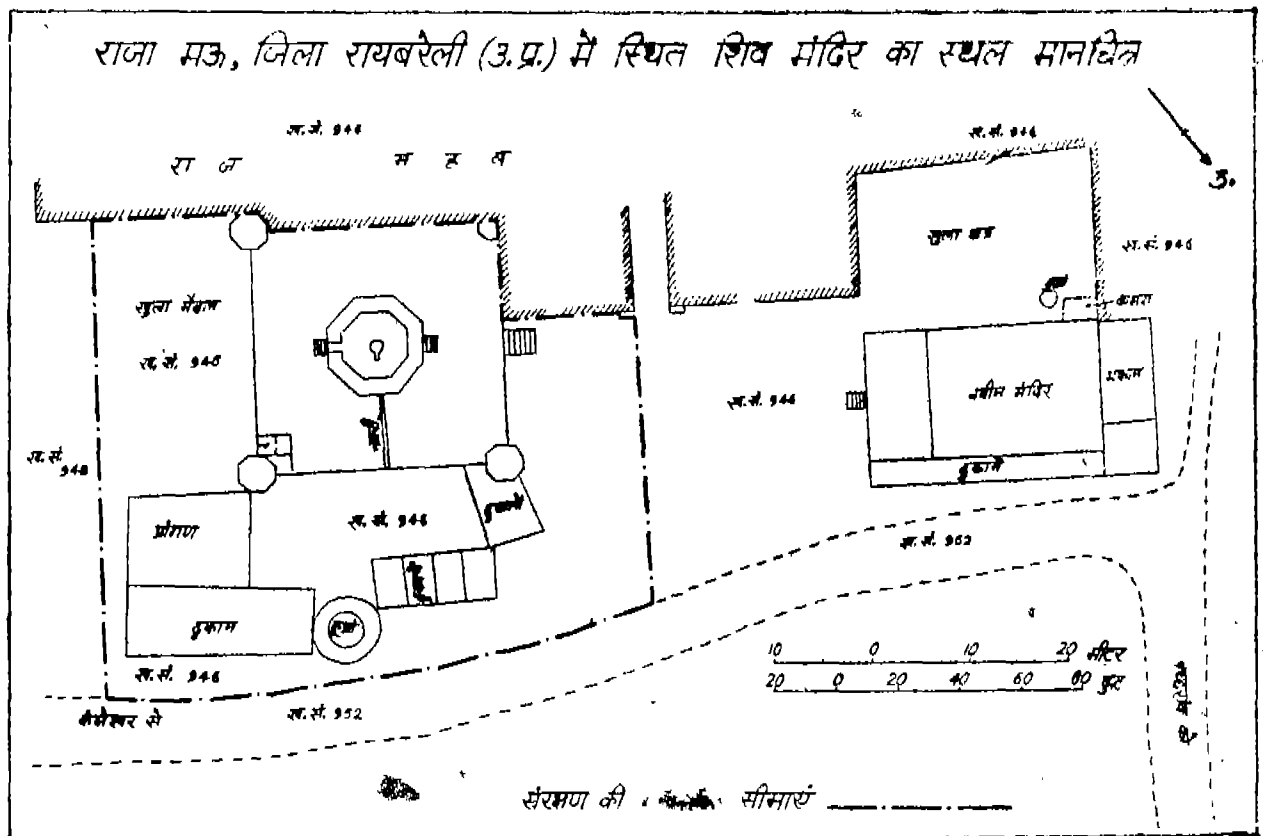
अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे उपाबद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करती है।

अनुसूची

राज्य	जिला	तहसील गांव	अवस्थान	संस्मारक का नाम	संरक्षणों के अधीन सम्मिलित किए जाने वाले सर्वेक्षण प्लॉट संख्यांक
1	2	3	4	5	6
उत्तर प्रदेश	रायबरेली	महाराज गांव	राजमऊ	सर्वेक्षण प्लॉट सं० 946 के भाग में समाविष्ट शिव मंदिर और पाश्चिम स्थ भूमि	सर्वेक्षण प्लॉट सं० 946 का भाग

क्षेत्र	सीमाएं	स्वामित्व	टिप्पणी
7	8	9	10

089 हैक्टर उत्तर: सर्वेक्षण प्लॉट सं० 952 में सड़क ग्राम पंचायत क्षेत्र में हुकानें अप्राधिकृत हैं
 पूर्व: सर्वेक्षण प्लॉट सं० 948
 दक्षिण: सर्वेक्षण प्लॉट सं० 946 के शेष भाग में राजमहल।
 पश्चिम: सर्वेक्षण प्लॉट सं० 946 का शेष भाग



[सं० 2/16/75-एम]

डी० मित्र, महानिदेशक और संयुक्त सचिव पदेन

DEPARTMENT OF CULTURE
 ARCHAEOLOGICAL SURVEY OF INDIA

New Delhi, the 8th July, 1983

ARCHAEOLOGY

S.O. 2963.—Whereas by the notification of the Government of India in the Department of Culture (Archaeological Survey of India), No. S.O. 2886, dated the 28th July, 1982, at page 2921, the Central Government gave two months' notice of its intention to declare the ancient monument specified in the Schedule annexed to that notification to be of national importance, and a copy of said notification was affixed in a conspicuous place near the said ancient monument, as required by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

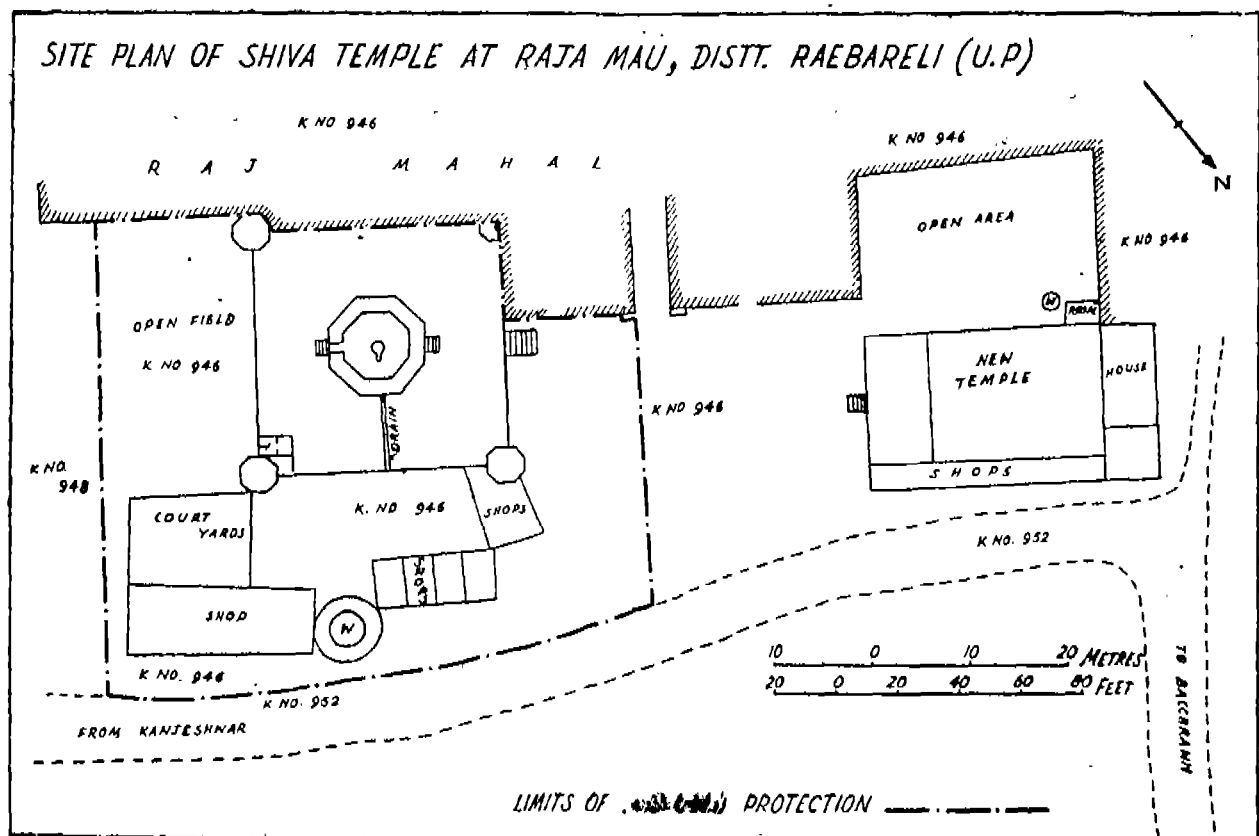
And whereas the copies of the said notification were made available to the public on the 28th August, 1982;

And whereas objections received from public have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, the Central Government hereby declares the said ancient monument specified in the Schedule annexed hereto to be of national importance.

SCHEDULE

State	District	Tehsil	Locality	Name of monuments	Revenue plot number included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Uttar Pradesh	Rai Bareli	Maharaj Ganj	Rajmau	Shiva temple along with adjoining land comprised in part of Survey plot No. 946	Part of Survey Plot No. 946	0.2089 Hectares	North :—Road in Survey plot No. 952 East :—Survey plot No. 948 South :—Raj Mahal in remaining portion of survey plot No. 946 West :—Remaining portion of survey plot No. 946	Gram Panchyat	Shops in the area are unauthorised.



[No. 2/16/75—M]

D. MITRA, Director General and Ex-officio Jt. Secy.

श्रीमती विकास संग्रहालय

आदेश

नई दिल्ली, 27 जून 1983

का० आ० 2964 —केन्द्रीय सरकार, आवश्यक वस्तु अधिनियम, 1955 (1955 का 10) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, शीतागार आदेश, 1980 का और संशोधन करने के लिए निम्नलिखित आदेश करती है, अर्थात्:—

1. (1) इस आदेश का संक्षिप्त नाम शीतागार (संशोधन) आदेश, 1983 है।

(2) यह राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगा।

2. शीतागार आदेश, 1980 में,—

(1) खंड 2 के उपखंड (ज) में “भारत सरकार के उपकृति विपणन सलाहकार” शब्दों के स्थान पर “विपणन और निरीक्षण निदेशालय के ज्येष्ठ अधिकारी” शब्द रखे जाएंगे;

(2) खंड 3 से 8 के स्थान पर निम्नलिखित खंड रखे जाएंगे, अर्थात्:—

“3. पूर्व अनुज्ञा के बिना नए शीतागार के सन्निर्माण या विद्यमान शीतागार के विस्तार पर प्रतिषेध—

कोई व्यक्ति खाद्य पदार्थों के भंडारण के लिए शीतागार का सन्निर्माण या किसी विद्यमान शीतागार की अनुज्ञापनधारिता का विस्तार अनुज्ञापन अधिकारी की पूर्व अनुज्ञा के बिना नहीं करेगा।

3क. किसी शीतागार के सन्निर्माण या विस्तार के लिए अनुज्ञा के लिए आवेदन—

किसी शीतागार का सन्निर्माण या विद्यमान शीतागार में विस्तार करने के लिए अनुज्ञा प्राप्त करने का इच्छुक कोई व्यक्ति प्ररूप “ख” में (दो प्रतियों में) अनुज्ञापन अधिकारी को आवेदन करेगा जिसके साथ उसमें उल्लिखित ब्लूप्रिंट और अन्य दस्तावेज दिए जाएंगे।

(2) ऐसे प्रत्येक आवेदन के साथ पच्चीस रुपए की फीस दी जाएगी।

(3) जहां आवेदक का एक से अधिक शीतागारों के सन्निर्माण का या एक से अधिक शीतागारों के विस्तार का प्रस्ताव है वहां वह ऐसे प्रत्येक शीतागार के लिए प्रत्येक ऐसे प्रस्ताव के लिए पृथक् आवेदन करके, पृथक्-पृथक् अलग अभिप्राप्त करेगा।

(4) प्रस्तावित शीतागार के सन्निर्माण के लिए अनुज्ञा देने या देने से इंकार करने के लिए विचार में ली जाने वाली बातें—

अनुज्ञापन अधिकारी, प्रस्तावित शीतागार के सन्निर्माण के लिए अनुज्ञा देने या देने से इंकार करने के लिए निम्नलिखित बातों को ध्यान में रखेगा, अर्थात्:—

(i) उस क्षेत्र में, जिसमें शीतागार के सन्निर्माण या विस्तार का प्रस्ताव है, पहले में क्रियाशील शीतागारों की संख्या और ऐसे शीतागार में भंडारण के लिए खाद्य पदार्थों की उपलब्धता।

(ii) क्या ब्लूप्रिंट में दिया गया शीतागार का डिजाइन अनुसूची में दिए गये विनिर्देशों के अनुसार पूर्ण और ठीक है।

4क. अनुज्ञा का दिया जाना—

(1) यदि खंड 3क के अधीन आवेदन प्राप्त होने पर, अनुज्ञापन अधिकारी का खंड 4 में विनिर्दिष्ट बातों के बारे में समाधान हो जाता है कि आवेदक को अनुज्ञा दिए जाने में कोई आपत्ति नहीं है तो वह आवेदक को प्ररूप “त” में शीतागार के सन्निर्माण के लिए अनुज्ञा प्रदान कर सकेगा।

(2) जहां खंड 4 में विनिर्दिष्ट बातों को ध्यान में रखते हुए, अनुज्ञापन अधिकारी की यह राय है कि आवेदक को अनुज्ञा नहीं दी जानी चाहिए, वहां वह आवेदक को मुनवाई का अवसर देने के पश्चात् अनुज्ञा देने से इंकार कर सकेगा किंतु ऐसे इंकार के लिए कारणों को लेखबद्ध करेगा और उसकी एक प्रति आवेदक को देगा; और

(3) जहां आवेदक को अनुज्ञा देने से इंकार कर दिया जाता है वहां आवेदन के साथ आवेदक द्वारा संदत्त आवेदन फीस, उसे वापस नहीं की जाएगी।

5. अनुज्ञप्ति के बिना किसी शीतागार या विस्तारित शीतागार के चालु करने का प्रतिषेध:— कोई भी व्यक्ति उस निमित्त जारी की गयी अनुज्ञप्ति की शर्तों और निबंधनों के अधीन और उसके अनुसार ही कोई शीतागार चलाएगा और किसी शीतागार में, किसी खाद्य पदार्थ को भंडारित करेगा और भंडारण के लिए स्वीकार करेगा या स्वीकार करने का वचनबंध करेगा, अन्यथा नहीं।

परन्तु यदि अनुज्ञापन अधिकारी का इस संबंध में प्ररूप “क” में कोई आवेदन किए जाने पर किसी स्थापन द्वारा चलाए जा रहे किसी शीतागार के बारे में ऐसी जांच करने

के पश्चात् जैसी वह आवश्यक समझे, यह समाधान हो जाता है कि ऐसा शीतागार उक्त स्थापन द्वारा वाणिज्यिक प्रयोग के लिए आशयित नहीं है तो वह उसे छुट दे सकेगा।

5क. किसी शीतागार या विस्तारित शीतागार को चलाने के लिए अनुज्ञप्ति के लिए आवेदन:—

- (1) किसी शीतागार का विस्तारित शीतागार को चलाने के लिए अनुज्ञप्ति प्राप्त करने का इच्छुक कोई व्यक्ति प्ररूप "ग" में (दो प्रतियों में) अनुज्ञापन अधिकारी को आवेदन करेगा, जिसके साथ उसमें उल्लिखित दस्तावेज दिए जाएंगे।
- (2) ऐसे प्रत्येक आवेदन के साथ खंड 7 में विनिर्दिष्ट फीस दी जाएगी।
- (3) जहाँ आवेदक का एक से अधिक शीतागारों को या एक से अधिक विस्तारित शीतागारों को चलाने का प्रस्ताव है वहाँ वह ऐसे प्रत्येक शीतागार के लिए पृथक पृथक अनुज्ञप्ति अभि-प्राप्त करेगा।

6. प्रस्तावित शीतागार को चलाने के लिए अनुज्ञप्ति देने या देने से इन्कार करने में विचार में ली जाने वाली बातें :—

अनुज्ञापन अधिकारी, अनुज्ञप्ति देने या देने से इन्कार करने के लिए निम्नलिखित बातों को ध्यान में रखेगा :—

- (i) क्या शीतागार की प्रसीतन, विद्युत, उष्मारोधन, स्वच्छता और सुरक्षा की दशाएं अनुसूची में दिए गए विनिर्देशों के अनुसार हैं ;
- (ii) संयंत्र में काम पर लगाए जाने के लिए नियोजित या नियोजित किए जाने वाले कर्मचारीवृन्द की अर्हता/अनुभव की उपयुक्तता; और
- (iii) कोई अन्य बात जो अनुज्ञापन अधिकारी इस प्रयोजन के लिए आवश्यक समझे।

6क. अनुज्ञप्ति देना:— (1) यदि खंड 5क के अधीन आवेदन प्राप्त होने पर, अनुज्ञापन अधिकारी का खंड 6 में विनिर्दिष्ट बातों के बारे में समाधान हो जाता है कि आवेदक को अनुज्ञप्ति दिए जाने में कोई आपत्ति नहीं है तो वह प्रस्तावित शीतागार को चलाने के लिए आवेदक को प्ररूप "घ" में अनुज्ञप्ति दे सकेगा।

(2) जहाँ खंड 6क में विनिर्दिष्ट बातों को ध्यान में रखते हुए, अनुज्ञापन अधिकारी की यह राय है कि आवेदक को प्रस्तावित शीतागार चलाने के लिए अनुज्ञप्ति नहीं दी जानी चाहिए वहाँ वह आवेदक को सुनवाई का अवसर देने के पश्चात् अनुज्ञप्ति देने से इन्कार कर सकेगा किन्तु ऐसे इन्कार के लिए कारणों को लेखबद्ध करेगा और उसकी एक प्रति आवेदक को देगा ;

(3) जहाँ आवेदक को अनुज्ञप्ति दिए जाने से इन्कार कर दिया जाता है वहाँ आवेदन के साथ आवेदक द्वारा संदत्त आवेदन फीस उसे वापस कर दी जाएगी।

7. अनुज्ञप्ति फीस निम्नलिखित रूप में होंगी :—

एक वर्ष या उसके भाग के लिए अनुज्ञप्ति फीस/नवीकरण फीस :

- (क) ऐसे शीतागार, जिनकी भंडारण क्षमता 10,000 घन मीटर से अधिक है।
- (ख) ऐसे शीतागार जिनकी भंडारण क्षमता 2,500 घनमीटर से अधिक है किन्तु 10,000 घनमीटर से अधिक नहीं है।
- (ग) ऐसे शीतागार जिनकी भंडारण क्षमता 25 घनमीटर से कम नहीं है किन्तु 2,500 घनमीटर से अधिक नहीं है।

8. अनुज्ञप्ति की शर्तों का शिथिलीकरण :— खंड 8क के अधीन दी गई प्रत्येक अनुसूची में विनिर्दिष्ट शर्तों और निबन्धनों के अधीन होगी :

परन्तु इस आदेश के प्रारम्भ से पहले ही विद्यमान किसी शीतागार की दशा में, यदि अनुज्ञापन अधिकारी का यह समाधान हो जाता है कि ऐसी किसी शर्त का अनुपालन व्यावहारिक नहीं है तो वह उसे शिथिल कर सकेगा।

(3) खंड 12 और 13 के स्थान पर निम्नलिखित खंड रखे जाएंगे, अर्थात्:—

“12. अनुज्ञप्ति का नवीकरण —

(1) अपनी अनुज्ञप्ति नवीकृत करने का इच्छुक प्रत्येक अनुज्ञप्तिधारी, 31 अक्टूबर को या उससे पूर्व खंड 7 में विनिर्दिष्ट फीस के साथ अनुज्ञापन अधिकारी को प्ररूप “ड” और प्ररूप “ज” में, दो प्रतियों में आवेदन करेगा। जहाँ अनुज्ञप्ति धारी पूर्वोक्त तारीख के भीतर आवेदन करने में असफल रहता है वहाँ वह अनुज्ञप्ति के अवसान के पूर्व किसी भी समय नवीकरण फीस के साथ विलम्ब के प्रत्येक मास या उसके किसी भाग के लिए एक सौ रुपये के हिसाब से संगणित शास्ति का संदाय करके, आवेदन कर सकेगा।

(2) अनुज्ञप्ति के नवीकरण के लिए आवेदन प्राप्त होने पर, अनुज्ञापन अधिकारी या तो अनुज्ञप्ति नवीकृत कर सकेगा या उसे नवीकृत करने से इंकार कर सकेगा। जहाँ नवीकरण से इंकार कर दिया जाता है वहाँ अनुज्ञप्तिधारी को सुनवाई का अवसर दिया जाएगा और ऐसे इंकार के कारण

लेखबद्ध किए जाएंगे तथा उसकी एक प्रति आवेदक को दी जाएगी और आवेदक से प्राप्त नवीकरण की फीम उसे वापस कर दी जाएगी।

- (3) जहां अनुज्ञप्तिधारी उपखंड (1) में विनिर्दिष्ट तारीख से पूर्व नवीकरण के लिए आवेदन करने में असफल रहता है वहां उसके लिए अपनी अनुज्ञप्ति के अवसान की तारीख के पश्चात् अपना शीतागार चलाना विधिपूर्ण नहीं होगा :

परन्तु यदि अनुज्ञापन अधिकारी का किसी आवेदन की प्राप्ति पर और यदि अनुज्ञप्तिधारी द्वारा विलम्ब के लिए दिए गए स्पष्टीकरण से उसका समाधान हो जाता है तो वह प्रतिमास या उसके किसी भाग के लिए एक सौ रुपए की दर से शास्ति भारित करने के पश्चात् अनुज्ञप्ति को नवीकृत कर सकेगा।

परन्तु यह और कि अनुज्ञापन अधिकारी अनुज्ञप्तिधारी के नियंत्रण से परे के किसी प्रक्रिया संबंधी विलम्ब के लिए या किन्हीं अन्य पर्याप्त कारणों से, जो लेखबद्ध किए जाएंगे, संपूर्ण शास्ति या उसके किसी भाग को अधित्यक्त कर सकेगा।

1.3. अनुज्ञप्ति की दूसरी प्रति जारी करना—

जहां अनुज्ञप्ति खो जाती है, विनष्ट हो जाती है, फट जाती है, विक्षिप्त हो जाती है या विकृत हो जाती है वहां अनुज्ञप्तिधारी अनुज्ञप्ति की दूसरी प्रति के लिए आवेदन कर सकता है। ऐसे प्रत्येक आवेदन के साथ दस रुपए फीम दी जाएगी। ऐसा कोई आवेदन प्राप्त होने पर, अनुज्ञापन अधिकारी अनुज्ञप्तिधारी को अनुज्ञप्ति की दूसरी प्रति देगा।

- (4) खंड 21 और 23 में “अनुज्ञापन अधिकारी” शब्दों के स्थान पर, जहां कहीं ये आते हैं, “अनुज्ञापन अधिकारी या उसके द्वारा इस निमित्त प्राधिकृत केन्द्रीय सरकार या राज्य सरकार का कोई अन्य अधिकारी” शब्द रखे जाएंगे।

- (5) खंड 22 के स्थान पर निम्नलिखित खंड रखा जाएगा, अर्थात् :—

“अभिलेखों का अनुरक्षण और विवरणियां प्रस्तुत करना—

प्रत्येक अनुज्ञप्तिधारी अनुज्ञप्ति परिवार में खाद्य पदार्थों के भंडारकरण से संबंधित लेखे, बहियां और अभिलेख प्रारूप छ-1 से छ-6 में रखेगा और मांग किए जाने पर अनुज्ञापन अधिकारी को प्रारूप छ-1 से छ-6 में विवरणियां और विवरण प्रस्तुत करेगा। अनुज्ञप्तिधारी—रोकड़-बही और खाता भी रखेगा और लिखित रूप में विनिर्दिष्ट मांग किए जाने पर उन्हें अनुज्ञापन अधिकारी को पेश करेगा।

- (6) प्रारूप “ख” के भाग ग में दिए गए अनुदेशों में, “मशीनरी, उष्मा रोधन आदि की विशिष्टियां (आवेदन का स्तंभ 3)” शीर्षक के नीचे, “उष्मा-रोधन” उपशीर्षक के नीचे “मानक उष्मारोधी सामग्रियों” शब्दों के स्थान पर “मानक उष्मा-रोधी सामग्रियों या ऊष्माचालकता और घनत्व के संबंध में उससे समतुल्य” शब्द रखे जाएंगे।

- (7) प्रारूप ग, घ, च, छ-4 और छ-5 के स्थान पर क्रमशः निम्नलिखित प्रारूप रखे जाएंगे, अर्थात् :—

“प्रारूप “ग”

(खंड 5क देखिए)

शीतागार आवेदन, 1980 के अधीन अनुज्ञप्ति के लिए आवेदन

1. आवेदक/आवेदकों का/के नाम और पता/पते
2. शीतागार का अवस्थान डाकघर
जिला
पिन कोड
3. शीतागारकोष्ठक (कों) की संख्या और आकार
- I. प्रत्येक शीतागार के कोष्ठक का आकार मीटरों में—
(i)लम्बाईचौड़ाईऊंचाई
(ii)
(iii)
- II. सभी शीतागार कोष्ठक/कोष्ठकों की कुल धारिता
(क) संयुक्ततः घनमीटर
(ख) संयुक्ततः खाद्य पदार्थों के मीटरी टन
4. प्रणीतन संयंत्र की प्रति 24 घंटे में प्रणीतनधारिता टनों में टी० आर०
5. विशिष्टियों सहित स्थापित मशीनरी की सूची (अलग पन्ना संलग्न करें)
6. मोटर(रों)/अन्य मूल गति उत्पादक(कों) की कुल अश्वशक्ति (अलग-2 करके भी बताएं)
7. उन खाद्य पदार्थ (पदार्थों) का/के नाम जिनको शीतागार में भंडारकरण के लिए मैं/हम आशय रखता हूँ/रखते हैं या स्वीकार करने का आशय रखता हूँ/रखते हैं।
8. मैं/हम भवन और सहबद्ध संरचनाओं की मजदूती और स्थायित्व के प्रमाणपत्र और शीतागार के पूर्ववृत्त सहित, शीतागार आदेश, 1980 के उपबंधों के अनुसार शोध अनुज्ञप्ति फीस की बाबत रु० की राशि का बैंक ड्राफ्ट सं० तारीख इसके साथ अग्रेषित करता हूँ/करते हैं।

9. मैं/हम शीतागार आदेश, 1980 के सभी उपबंधों के अनुपालन का वचनबद्ध करता हूँ/करते हैं।

आवेदक के हस्ताक्षर

तारीख 19..

संलग्नक:—

- (i) के रूप में अनुज्ञप्ति फॉस
- (ii) मजबूती और स्थायित्व प्रमाणपत्र
- (iii) मामले का पूर्व-वृत्त।

प्रारूप "ब"

(खंड 6क देखिए)

भारत सरकार

ग्रामीण विकास मंत्रालय

विपणन और निरीक्षण निदेशालय



शीतागार आदेश, 1980 के अधीन अनुज्ञप्ति
..... अनुज्ञप्ति सं० सी० आ०

1. अनुज्ञप्तिधारी का नाम और पता
2. शीतागार का अवस्थान
3. अन्य व्योरे स्वामित्व
खाद्य पदार्थ कोष्ठकों की संख्या

यह अनुज्ञप्ति शीतागार आदेश, 1980 के (जिसके अन्तर्गत इस आदेश की अनुसूची में विनिर्दिष्ट निबन्धन और शर्तें भी हैं) उपबंधों के अधीन दी जाती है और उनके अधीन रहते हुए होगी और अनुज्ञप्तिधारी इन सभी का अनुपालन करेगा।

(अनुज्ञापन अधिकारी)

स्थान :

तारीख :

विधिमान्यकरण और नवीकरण

विधिमान्यता की अवधि	दी गयी अनु- ज्ञप्ति फॉस	शीतागार की कुल धारिता (घनमीटरों और मीटरों में)	अनुज्ञापन अधिकारी के हस्ताक्षर

प्रारूप "ब"

[खंड 18 (1) देखिए]

शीतागार रसीद

क्रम सं० तारीख
शीतागार का नाम और अवस्थान
शीतागार अनुज्ञप्ति संख्यांक जो
तक विधिमान्य है।

(i) (किराएदार का नाम और पता)
से निम्नलिखित वर्णन का खाद्यपदार्थ प्राप्त हुआ है—

वस्तु का नाम जो किराएदार द्वारा घोषित किया गया है।	पैकेजों की संख्या और प्रकार और प्रत्येक का मानक भार जो पन्ने की दूसरी ओर दिए अनुसार है।	खाद्य पदार्थ का भार यदि इसे खुले रूप में भंडारित किया जाना है।	पैकेजों पर किराएदार का प्राद्वष्ट चिन्ह, यदि कोई हो, और टिप्पणियां

(ii) (क) भंडारकरण की दर
रु० प्रति प्रति मास/
शुद्ध

(ख) लदाई प्रभार रु० उतगई प्रभार रु०

(iii) (क) क्या बीमाकृत है, यदि हां, तो उसका बीमा

(ख) बीमा प्रभार रु०

(iv) निक्षिप्त खाद्य पदार्थ पर पृष्ठांकन द्वारा हस्ता-
न्तरण से धारणाधिकार, बन्धक या अन्य विल्लंगम
सृष्ट करने वाली विशिष्टियां (यदि पराक्राम्य
हो)

(v) यह रसीद शीतागार आदेश, 1980 के उपबंधों
के अधीन रहते हुए जारी की गयी है।

किराएदार या उसके अभि- अनुज्ञप्तिधारी या उसके प्राधिकृत
कर्ता के हस्ताक्षर/अंगूठे अधिकर्ता के हस्ताक्षर
का निशान

तारीख तारीख

रसीद की न्यूनतम शर्तें, जो शीतागार रसीद के पृष्ठ
भाग पर मुद्रित की जानी हैं।

1. औसत मानक भार निम्नलिखित माना जाएगा:—

- (क) आलू की बोरी 80 कि० ग्रा०
- (ख) सेब की पेटी 16 कि० ग्रा०
- (ग) सेब की आधी पेटी 8 कि० ग्रा०
- (घ) संतरा की पेटी 25 कि० ग्रा०
- (ङ) कोई अन्य मद

2. किराएदारों को सलाह दी जाती है कि यदि मानक भार में अन्तर हो तो वे अपनी सामग्री का तोल करा ले जिससे कि तोला गया भार, विनिर्दिष्ट किया जा सके।
3. शीतागार संकुचन या प्राकृतिक निर्जलन के कारण या किसी अन्य कारण से कुल भार के 5 प्रतिशत तक भार की हानि के लिए उत्तरदायी नहीं होगा।
4. शीतागार प्रबंधन के नियंत्रण के बाहर की परिस्थितियों के कारण भंडारकृत सामग्री को हुए नुकसान के लिए उत्तरदायी नहीं होगा। शीतागार को यह स्वतंत्रता होगी कि वह नुकसान ग्रस्त स्टॉक का निपटान कर दे यदि उसे लिखित

प्रज्ञापन जारी किए जाने की तारीख से सात दिन के भीतर हटा नहीं लिया जाता है। प्रज्ञापन रजिस्ट्रीकृत डाक से भेजी जाएगी।

5. मासिक भंडारकरण की दशा में, न्यूनतम भंडारकरण प्रभार एक मास के लिए होगा। पश्चात्-वर्ती अवधि के लिए एक मास या उसके भाग के लिए 30 दिन का किराया प्रभारित किया जाएगा।
6. आलू के लिए मौसमी भंडारकरण प्रभार 31 अक्टूबर, 19..... तक होंगे।
7. भंडारकृत सामग्री का परिदान सभी शोध्यों के संदाय पर ही किया जाएगा।

प्रारूप छ-4

(खंड 22 देखिए)

भंडारकरण प्रभारों के लिए बिल

बिल सं०

तारीख

शीतागार का नाम और पता

किराएदार का नाम और पता

क्रम सं०	चलान संख्यांक	खाद्य पदार्थ की विशिष्टियां	प्राप्ति की तारीख	परिदान की , अवधि तारीख	भंडारकरण दर	रकम रु० पै०
		वस्तु साट मात्रा सं०				

..... रुपये

.....
प्रबंधक सत्यधारी के हस्ताक्षर

प्रारूप छ-5

(खंड 22 देखिए)

परिदान चालान

क्रम सं०

तारीख

शीतागार का नाम और पता

किराएदार का नाम और पता

नीचे उल्लिखित और वर्णित खाद्य पदार्थ शीतागार से परिधान के लिए निम्नलिखित रसीद संख्या(कों) से इसके द्वारा निर्मुक्त किए जाते हैं—

क्रम सं०	रसीद सं० और तारीख	खाद्य पदार्थ की विशिष्टियां	निर्मुक्त की गई मात्रा	किराएदार के हस्ताक्षर	शीतागार रसीद पर बाकी देय मात्रा	अनुशक्तिधारी या उसके प्राधिकृत प्रतिनिधि के हस्ताक्षर
----------	-------------------	-----------------------------	------------------------	-----------------------	---------------------------------	---

(8) प्ररूप "ज" के पश्चात् निम्नलिखित प्ररूप जोड़ा जाएगा अर्थात् :—

प्ररूप "त"

(खंड 4क देखिए)

भारत सरकार

ग्रामीण विकास मंत्रालय

विपणन एवं निरीक्षण निदेशालय



शीतागार आदेश, 1980 के अधीन शीतागार के सन्निर्माण के लिए अनुज्ञा

फा० सं०

तारीख

पक्षकार का नाम और पता

शीतागार का अवस्थान

विधिमान्यता की अवधि	संदत आवेदन फीस के ब्यौरे	विमाण और धारिता	कोष्ठकों की संख्या	भंडारित किए जाने वाले खाद्य पदार्थ का नाम और उसका भार	स्वामित्व
---------------------	--------------------------	-----------------	--------------------	---	-----------

यह अनुज्ञा उपरोक्त उल्लिखित ब्यौरे के अनुसार और प्रस्तुत रेखाओं के अनुसार उपर्युक्त स्थल पर शीतागार के सन्निर्माण के लिए शीतागार आदेश, 1980 के अधीन दी जाती है और यह उस आदेश के उपबंधों के अधीन रहते हुए होगी (जिसके अन्तर्गत उस आदेश की अनुसूची में विनिर्दिष्ट निबन्धन और शर्तें भी हैं) और इन सभी का अनुपालन किया जाएगा।

शर्तें :—

- शीतागार का सन्निर्माण सर्वथा अनुमोदित रेखाओं के अनुसार किया जाना चाहिए।
- विधियों, डिजाइन, भंडारित किए जाने वाले खाद्य पदार्थ और स्वामित्व के गठन में कोई परिवर्तन अनुज्ञापन अधिकारी के पूर्व अनुमोदन से ही किया जा सकेगा।
- सभी प्रकार से शीतागार का सन्निर्माण पूरा होने के पश्चात् निम्नलिखित दस्तावेज (दो प्रतियों में) को प्रस्तुत किए जाएंगे।
 - प्ररूप "ग" में आवेदन,
 - रजिस्ट्रीकृत/अनुमोदित वास्तुविद या इंजीनियर द्वारा मजबूती और स्थायित्व प्रमाणपत्र
 - मामले का पूर्ववृत्त
 - के पक्ष में मांगवेय ड्राफ्ट के रूप में की अनुशक्ति फीस।
 - कोई अन्य मद।

4. शीतागार किसी भी वंश में तब तक वाणिज्य उपयोग के लिए चालू नहीं किया जाना चाहिए जब तक कि शीतागार के सम्यक निरीक्षण के (जिसकी व्यवस्था, ऐसा आवेदन और प्रज्ञापना प्राप्त होने पर कि शीतागार ऐसे निरीक्षण के लिए तैयार है, की जाएगी) पश्चात् शीतागार आवेदन, 1980 के खंड 5 के अधीन अनुज्ञप्ति/छूट नहीं दे दी जाती है।

संलग्न : यथापूर्वोक्त

(अनुज्ञापन अधिकारी)

स्थान

[फा० सं० 15-7/81-ए० एम०]

MINISTRY OF RURAL DEVELOPMENT

ORDER

New Delhi, the 27th June, 1983

S.O. 2964.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955, (10 of 1955) the Central Government hereby makes the following order further to amend Cold Storage Order, 1980, namely :—

1. (1) This Order may be called the Cold Storage (Amendment) Order, 1983.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Cold Storage Order, 1980,—

(1) in clause 2, in sub clause (h) for the words "Deputy Agricultural Marketing Adviser, Government of India" the words "Senior Marketing Officer in the Directorate of Marketing and Inspection" shall be substituted;

(2) for clauses 3 to 8 the following clauses shall be substituted, namely :—

"3. Prohibition of construction of new cold storage or expansion of existing cold storage without prior permission.—No person shall construct a cold storage or expand the licensed capacity of any existing cold storage for storing foodstuff without prior permission of the Licensing Officer.

3A. Application for permission to construct or expand a cold storage.—(1) Any person desiring to obtain permission to construct a cold storage or expand an existing cold storage shall make an application to the Licensing Officer in Form "B" (in duplicate) accompanied with blue prints and other documents mentioned therein.

(2) Every such application shall be accompanied with a fee of rupees twenty five.

(3) Where the applicant proposes to construct more than one cold storage or to expand more than one cold storage he shall obtain a separate permission for each such proposal by applying separately for each such cold storage.

4. Factors to be considered in granting or refusing permission for construction of proposed cold storage.—In granting or refusing permission for construction of proposed cold storage the Licensing Officer shall regard to the following factors, namely :—

(i) the number of cold storage already operating in the area in which the cold storage is proposed to be constructed or expanded and the availability of foodstuffs for storage in such cold storages;

(ii) whether the design of the cold storage given in blue-prints is complete and in order as per specifications given in the Schedule and part 'C' of form 'B'.

4A. Grant of permission.—(1) On receipt of an application under clause 3A the Licensing Officer may, if he is satisfied having regard to the factors specified in clause 4 that there is no objection to grant permission to the applicant, grant the applicant permission in Form 'P' for construction of cold storage;

(2) Where having regard to the factors specified in clause 4, the Licensing Officer is of the opinion that the applicant should not be granted the permission, he may, after giving applicant an opportunity of being heard, refuse to grant the permission, recording in writing the reasons for such refusal and furnish a copy thereof to the applicant; and

(3) Where the applicant is refused permission, the application fee paid by the applicant with his application shall not be refunded to him.

5. Prohibition of operation of a cold storage or expanded cold storage without licence.—No person shall operate a cold storage run by an establishment, if he is accept for storage in any cold storage any foodstuff, except under and in accordance with the terms and conditions of a licence issued in that behalf :

Provided that the Licensing Officer may on an application made in this behalf in Form 'A' exempt a cold storage run by an establishment, if he is satisfied, after making such enquiries as he may consider necessary, that the cold storage is not intended for commercial use by the said establishment.

5A. Application for licence to operate a cold storage or expanded cold storage.—(1) Any person desiring to obtain a licence for operating a cold storage or expanded cold storage shall make an application to the Licensing Officer in form "C" (in duplicate) accompanied with the documents mentioned therein.

(2) Every such application shall be accompanied with fees specified in column 7.

(3) Where the applicant proposes to operate more than one cold storage or more than one expanded cold storage he shall obtain a separate licence for each such cold storage.

6. Factors to be considered in granting or refusing a licence for operation of the proposed cold storage.—In granting or refusing a licence, the Licensing Officer shall have regard to the following factors :—

(i) Whether the refrigeration, electrical, insulation sanitary and safety conditions of the cold storage are as per specifications given in the Schedule;

(ii) Suitability of qualification/experience of the staff employed or proposed to be employed for manning the plant; and

(iii) Any other matter which the Licensing Officer may consider necessary for the purpose.

6A. Grant of licence.—(1) On receipt of an application under clause 5A, the Licensing Officer may, if he is satisfied, having regard to the factors specified in clause 6 that there is no objection to grant a licence to the applicant, grant the applicant a licence in Form 'D' for operation of the proposed cold storage;

(2) Where having regard to the factors specified in clause 6, the Licensing Officer is of the opinion that the applicant should not be granted the licence for operation of the proposed cold storage, he may after giving applicant an opportunity of being heard, refuse to grant the licence recording in writing reasons for such refusal and furnish a copy thereof to the applicant;

(3) Where the applicant is refused a licence, the licence fee paid by the applicant with his application shall be refunded to him.

7. Licence fee shall be as follows :—

Licence fee/Renewal fee for one year of part thereof :

- (a) Cold Storage with a storage capacity exceeding 10,000 cubic metres. Rs. 500.00
- (b) Cold Storage with a storage capacity exceeding 2,500 cubic metres but not exceeding 10,000 cubic metres. Rs. 300.00
- (c) Cold Storage with a storage capacity of not less than 25 cubic metres but not exceeding 2,500 cubic metres. Rs. 100.00

8. Relaxation of conditions of licence.—Every licence granted under clause 6A shall be subject to the terms and conditions specified in the Schedule :

Provided that, in the case of a cold storage already in existence before the commencement of this Order, the Licensing Officer may relax any condition if he is satisfied that the compliance with such a condition is not practicable."

(3) for clauses 12 and 13 the following clauses shall be substituted, namely :—

"12. Renewal of licence,—

- (1) Every licensee desiring to get his licence renewed shall on or before the 31st day of October make an application in Form 'E' and Form 'H' (in duplicate) to the Licensing Officer accompanied with the renewal fee specified in clause 7. Where a licensee fails to make an application within the date aforesaid he may make an application with the renewal fee at any time before the expiry of the licence on payment of a penalty calculated at rupees one hundred for the delay of every month or part thereof.
- (2) On receipt of an application for the renewal of licence the Licensing Officer may either renew the licence or refuse to renew the same. Where renewal is refused the licensee shall be given an opportunity of being heard and the reasons for such refusal be recorded in writing and a copy thereof shall be furnished to the applicant and the renewal fee received from the applicant shall be refused to him.
- (3) Where the licensee fails to apply for renewal before the date specified in the sub-clause (1) it will not be lawful for the licensee after the date of expiry of his licence to run his cold storage.

Provided that the Licensing Officer may, on receipt of an application and if he is satisfied with the explanation for the delay given by the licensee, renew the licence after charging the penalty at the rate of Rs. 100 per month or part thereof.

Provided further that the Licensing Officer may, for any procedural delay beyond the control of the licensee or any other sufficient reasons to be recorded in writing, waive off the whole or part of the penalty.

13. Issue of duplicate licence:—Where a licence is lost destroyed, torn, defaced or mutilated, the licensee may apply for a duplicate copy of the licence. Every such application shall be accompanied with a fee of rupees ten. On receipt of an application the Licensing Officer shall grant a duplicate copy of the licence to the licensee."

(4) in clauses 21 and 23 for the words "Licensing Officer" wherever they occur, the words "Licensing Officer or any other officer of the Government of India or the State Government authorised by him in this behalf, shall be substituted.

(5) for the clause 22 the following clause shall be substituted, namely:—

"22. Maintenance of records and submission of returns.— Every licensee shall maintain accounts, books and records relating to storage of foodstuff at the licensed premises in forms 'GI' to 'G VI' and submit to the Licensing Officer, returns and statements in the Forms 'G I' to 'G VI' on demand. The licensee shall also maintain the cash book and ledger and produce them to the Licensing Officer on specific demand in writing."

(6) in form 'B', in the instructions given in Part C under the heading "PARTICULARS OF MACHINERY, INSULATION ETC: (Column 3 of the application)" under sub heading 'INSULATION', for the words "standard insulation materials the words "standard insulation materials or its equivalent in respect of thermal conductivity and density" shall be substituted.

(7) for forms C, D, F, GIV and GV the following form shall, respectively, be substituted, namely:—

"Form 'C'

[Sec clause 5A]

APPLICATION FOR LICENCE UNDER THE COLD STORAGE ORDER, 1980

1. Names and address (es) of the applicant(s) _____
 2. Location of the Cold Storage Post Office _____
District _____
Pin Code _____
 3. Number and size of Cold Storage Chamber(s),—
(I) Size of the individual cold storage chamber in metres
(i) ———length X———breadth X———height
(ii) _____
(iii) _____
(II) Total capacity of all the cold storage chamber(s)
(a) combined———cubic metre,
(b) combined———metric tonnes of foodstuff.
 4. Capacity of Refrigeration Plant in tons of refrigeration per 24 hours. _____TR.
 5. List of machinery installed with particulars (attach separate sheet).
 6. Total H.P. of the motor(s)/other prime movers (give break up also).
 7. Name(s) of the foodstuff(s) I/We intend to store or accept for storing in cold storage.
 8. I/We hereby forward a Bank Draft No. _____ dated _____ for a sum of Rs. _____ in respect of licence fee due according to the provisions of the Cold Storage Order, 1980, along with Strength & Stability Certificate of the building and allied structures and Case History of the Cold Storage.
 9. I/We hereby undertake to comply with all the provisions of the Cold Storage Order, 1980.
- Enclosures: (i) Licence fees in the Signature of the applicant form of _____
(ii) Strength and Stability Certificate. Date: _____
(iii) Case History.

Form 'D'

[See Clause 6A]

GOVERNMENT OF INDIA
MINISTRY OF RURAL DEVELOPMENT
DIRECTORATE OF MARKETING & INSPECTION

Licence under the Cold Storage Order, 1980. Licence No. CSO—

1. Name and address of the licensee—
2. Location of the Cold Storage—
3. Other details:—Ownership—, foodstuff— number of chambers—

This licence is granted under, and is subjected to, the provisions of the Cold Storage Order, 1980 (including the terms and conditions specified in the Schedule to that Order), all of which shall be complied with by the licensee.

Place: (Licensing Officer)
Date:

VALIDATION AND RENEWAL

Period of validity	Licence fee paid	Total capacity of the Cold Storage (in cubic metres and in metric tonnes)	Signature of the Licensing Officer
--------------------	------------------	---	------------------------------------

- 1.
- 2.
- 3.
- 4.
- 5.

Form 'F'

[See Clause 18(1)]

COLD STORAGE RECEIPT

Sr. No. Dated

Name & location of the Cold Storage

Cold Storage licence number valid upto

(i) Received from (Name and address of the hirer) foodstuff of the following description:—

Name of commodity as declared by the hirer	Number & kind of packages each having standard weight as given overleaf	Weight of the foodstuff if to be stored loose	Pvt. marks of the hirer on the packages, if any and Remarks
--	---	---	---

- 1.
- 2.
- 3.
- 4.
- 5.

- (ii) (a) Storage rate Rs. — per — per month/season.
(b) Loading charges Rs. —
Unloading charges Rs. —
- (iii) (a) Whether insured, if yes, its details —
(b) Insurance charges Rs. —
- (iv) Particulars regarding transfer by endorsement creating liens, Mortgage or other encumbrances on the food-stuff deposited (if negotiable) —
- (v) This receipt is issued subject to the provisions of the Cold Storage Order, 1980.

Signature/Thumb impression of the hirer or his agent Signature of the licensee or his authorised agent

Date: Date:

The minimum conditions of receipt which are to be printed on the back side of the Cold Storage receipt.

1. Average standard weight will be considered as under:—

- (a) Potato bag 80 kgs.
- (b) Apple case. 16 kgs.
- (c) Apple half case. 8 kgs.
- (d) Orange case. 25 kgs.
- (e) Any other item.

2. Hirers are advised to get their material weighed in case there is variation in standard weight so that measured weight may be specified.

3. Cold Storage shall not be responsible for the shrinkage or loss of weight due to natural dehydration or any other cause upto 5 per cent of the total weight.

4. Cold Storage shall not be responsible for the damage to the material stored caused due to circumstances outside the Management's control. Cold Storage shall be at liberty to dispose of the damaged stock if not withdrawn within seven days of the date of issue of written intimation. This intimation shall be sent under registered cover.

5. In case of monthly storage the minimum storage charges shall be one month. Rent of 30 days shall be charged for the month or part thereof on subsequent period.

6. The seasonal storage charges for potato will be upto 31st October, 1980—

7. Delivery of stored material shall be against payment of all dues.

Form 'G IV'

(See Clause 22)

BILL FOR STORAGE CHARGES

Bill No. Date.
Name & Address of the Cold Storage.
Name & Address of the hirer.

Sr. No.	Challan Number	Particulars of foodstuff			Date of receipt	Date of delivery	Period	Storage rate	Amount Rs. P.
		Commodity	Lot. No.	Qty.					

Rupees.

Signature of the Manager/Prop.

Form 'G V'
(See Clause 22)
DELIVERY CHALLAN

Sr. No. Date

Name & Address of the Cold Storage

Name & Address of the hirer

The foodstuff mentioned and described below is hereby released from following receipt number(s) for delivery from the Cold Storage:—

Sr. No.	Receipt No. and date	Particulars of foodstuff	Quantity released	Signature of the hirer	Quantity still due on Cold Storage receipt	Signature of licensee or his authorised representative
---------	----------------------	--------------------------	-------------------	------------------------	--	--

after Form 'H' the following shall be added, namely :—

"Form 'P'
(See Clause 4A)

GOVERNMENT OF INDIA
MINISTRY OF RURAL DEVELOPMENT
DIRECTORATE OF MARKETING & INSPECTION



PERMISSION FOR CONSTRUCTION OF COLD STORAGE UNDER
COLD STORAGE ORDER, 1980

F. No.....				Dated.....	
Name and Address of the party.....					
Location of the Cold Storage.....					
Period of validity	Details of applica- tion fees paid	Dimensions & capacity	Number of chambers	Name of foodstuff to be stored and its weight	Ownership

This permission is granted under Cold Storage Order, 1980 for the construction of a Cold Storage at above site as per details mentioned above and in accordance with the drawing submitted and is subjected to the provisions of that Order (including the terms and conditions specified in the schedule of that Order) all of which shall be complied with.

CONDITIONS :

- The construction of Cold Storage should be done strictly as per the approved drawings.
- Any change in the dimensions, design, foodstuff to be stored and constitution of ownership may be done only with the prior approval of the Licensing Officer.
- After completion of construction of the Cold Storage in all respect, the following enclosed documents may be submitted (in duplicate) to :—
 - Application in Form 'C',
 - ~~(ii)~~ Strength & Stability Certificate by registered/licensed Architect or Engineer,
 - ~~(iii)~~ Case History,
 - Licence Fee of Rs. in the form of a Demand Draft in favour of
 - Any other item.
- Cold storage should in no case be commissioned for commercial use unless licence/exemption under Clause 5 of the Cold Storage Order, 1980 is granted for its operation after due inspection of the Cold Storage (to be arranged on receipt of application and intimation that the Cold Storage is ready for such inspection).

Encls. :
Place :

(Licensing Officer)."

[F. 15-7/81-AM]

नई दिल्ली, 27 जून, 1983

का०आ० 2965.—केन्द्रीय सरकार कृषि उत्पाद (श्रेणीकरण और चिह्नांकन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हल्दी श्रेणीकरण और चिह्नांकन नियम, 1964 का और संशोधन करना चाहती है। जैसा कि उक्त धारा में अपेक्षित है, प्रस्तावित संशोधनों का निम्नलिखित प्रारूप उन सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया जा रहा है, जिनके उससे प्रभावित होने की संभावना है। इसके द्वारा सूचना दी जाती है कि उक्त प्रारूप पर इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 45 दिन के पश्चात् विचार किया जाएगा।

इस प्रकार विनिर्दिष्ट तारीख से पूर्व नियमों के उक्त प्रारूप की बाबत जो भी आक्षेप या सुझाव किसी व्यक्ति से प्राप्त होंगे, केन्द्रीय सरकार उन पर विचार करेगी।

प्रारूप नियम

1. इन नियमों का संक्षिप्त नाम हल्दी श्रेणीकरण और चिह्नांकन (संशोधन) नियम, 1983 है।

2. हल्दी श्रेणीकरण और चिह्नांकन नियम, 1964 में—

(क) अनुसूची 4 के अंत में निम्नलिखित पाद टिप्पण जोड़ा जाएगा, अर्थात् :—

“चालनी परीक्षण :—निर्यात के लिए अभिप्रेत बृहदाकार टुकड़ों के परेक्षण के लिए भार के अनुसार 5 प्रतिशत सहायता की अनुज्ञा दी जाएगी”;

(ख) अनुसूची 4क में,—

(i) शीर्षक में “(गोटी पिंसी हुई)” शब्दों का लोप किया जाएगा;

(ii) स्तम्भ 1 में श्रेणी अभिधान शीर्षक के नीचे “मानक” शब्दों के स्थान पर “साधारण” शब्द रखा जाएगा;

(iii) स्तम्भ 3 में, विशेष लक्षण शीर्षक के नीचे “9.0” अंकों के स्थान पर “7.0” अंक रखे जाएंगे;

(iv) अन्त में निम्नलिखित पाद टिप्पण जोड़ा जाएगा, अर्थात् :—

“चालनी परीक्षण : निर्यात के लिए अभिप्रेत बृहदाकार टुकड़ों के परेक्षण के लिए भार के अनुसार 5 प्रतिशत सहायता की अनुज्ञा दी जाएगी।”

टिप्पण :—(1) मूल नियम भारत के राजपत्र तारीख 2-5-64 में का० आ० 1463 द्वारा प्रकाशित किए गये।

(2) पहला संशोधन भारत के राजपत्र, तारीख 8-1-66 में का० आ० 123 द्वारा प्रकाशित किया गया।

(3) दूसरा संशोधन भारत के राजपत्र, तारीख 29-10-66 में का० आ० 3189 द्वारा प्रकाशित किया गया।

(4) तीसरा संशोधन भारत के राजपत्र, तारीख 6-1-68 में का० आ० 35 द्वारा प्रकाशित किया गया।

[सं० एक० 10-2/82 ए०एम०]

बी० डी० टेकरीवाल, निदेशक (विपणन)

New Delhi, the 27th June, 1983

S.O. 2965.—The following draft rules further to amend the Turmeric Grading and Marking Rules, 1964, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), are hereby published, as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that said draft rules will be taken into consideration after 45 days from the date on which the copies of the Gazette of India in which this notification is published are made available to the public.

Any objections or suggestions received from any persons with respect to the said draft rules, before the expiry of the period so specified, will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Turmeric Grading and Marking (Amendment) Rules, 1983.

2. In the Turmeric Grading and Marking Rules, 1964—

(a) In Schedule IV, the following footnote shall be added at the end, namely :—

“Sieve test :—A tolerance upto 5 per cent by weight for oversized particles shall be allowed for the consignment meant for export”;

(b) In Schedule IV-A,

(i) in the heading, the words “(coarse ground)” shall be omitted;

(ii) in column 1, under the heading “Grade designation”, for the word “Standard”, the word “General” shall be substituted;

(iii) in column 3, under the heading “special characteristics” “for the figures “9.0”, the figures “7.0” shall be substituted;

(iv) the following footnote shall be added at the end, namely :—

“Sieve test :—A tolerance upto 5 per cent by weight for oversized particles shall be allowed for the consignment meant for export”.

Note :—

(1) Principal rules published vide S.O. 1463 of GOI dated 2-5-64.

(2) 1st amendment published vide S.O. 123 of GOI dated 8-1-66.

(3) 2nd amendment published vide S.O. 3189 of GOI dated 29-10-66.

(4) 3rd amendment published vide S.O. 35 of GOI dated 6-1-68.

[No. F. 10-2/82-AM]
B. D. TEKRIWAL, Director (M)

निर्माण और आवास मंत्रालय

(संघा निवेशालय)

नई दिल्ली, 4 जून, 1983

का०आ० 2966.—राष्ट्रपति मूल नियमों के नियम 45 के अनुसरण में, भारत सरकार के भूतपूर्व निर्माण, आवास और पुनर्वास मंत्रालय (निर्माण और आवास विभाग) की अधिसूचना सं० का० आ० 1533 तारीख 28 मई, 1963 का निम्नलिखित संशोधन करते हैं, अर्थात् :—

उक्त अधिसूचना की मद सं० (2) में “कलकत्ता” से, कलकत्ता नगर निगम की सीमाओं के भीतर आने वाला क्षेत्र अभिप्रेत है” शब्दों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“‘कलकत्ता’ से कलकत्ता नगर निगम की सीमाओं के भीतर आने वाला क्षेत्र, हावड़ा नगर पालिका, साल्ट लेक और शिवपुर अभिप्रेत है।”

2. यह अधिसूचना राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगी।

[फा० सं० डी० 11029/33/82-रीजन्स]

वी० एस० रमन, उपनिदेशक, सम्पदा

MINISTRY OF WORKS AND HOUSING

(Directorate of Estates)

New Delhi, the 4th June, 1983

S.O. 2966.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby makes the following amendments to the notification of the Government of India in the late Ministry of Works, Housing and Rehabilitation (Department of Works and Housing) S.O. No. 1533 dated the 28th May, 1963, namely :—

In the said notification, in item No. (2) for the words “‘Calcutta’ means the areas included within the limits of the Municipal Corporation of Calcutta” the following words shall be substituted, namely :—

“‘Calcutta’ means the areas included within the limits of the Municipal Corporation of Calcutta, Howrah Municipality, Salt Lake and Shibpur.”

2. This notification shall come into force on the date of its publication in the Official Gazette.

[F. No. D-11029/33/82-Regions]

V. S. RAMAN, Dy. Director of Estates

दिल्ली विकास प्राधिकरण**सार्वजनिक सूचना**

का०आ० 2967.—केन्द्रीय सरकार दिल्ली मुख्य योजना में निम्नलिखित संशोधन करने का विचार कर रही है, एतद्वारा जिसे सार्वजनिक सूचना हेतु प्रकाशित किया जाना है। इन प्रस्तावित

संशोधन के सम्बन्ध में जिस किसी व्यक्ति को कोई आपत्ति या सुझाव देना हो तो वे अपने आपत्ति या सुझाव इस सूचना की तिथि के 30 दिन के भीतर सचिव, दिल्ली विकास प्राधिकरण, विकास मीनार, इन्द्रप्रस्थ इस्टेट, नई दिल्ली के पास लिखित रूप में भेज दें। जो व्यक्ति अपनी आपत्ति या सुझाव दें, वे अपना नाम एवं पूरा पता लिखें :—

संशोधन :

“जोन डी-21 स्थित लगभग 8.98 हेक्टा (22.2 एकड़) क्षेत्र जो पूर्व में “आवासीय उपयोग” (नेताजी नगर) तथा “सार्वजनिक व अर्द्ध-सार्वजनिक सुविधाओं” (मैत्री कालेज) से, दक्षिण में 24.4 मीटर (80 फुट) चौड़े क्षेत्रीय मार्ग से तथा उत्तर एवं पश्चिम में “आवासीय” उपयोग (मोतीबाग) से घिरा है, का भूमि उपयोग “मनोरंजनात्मक-उपयोग” (जिला पार्क, खेल के मैदान व खुले स्थल) से बदलकर “आवासीय” उपयोग (विदेशी मिशन) में किया जाना प्रस्तावित है।”

2. उक्त अवधि के दौरान शनिवार को छोड़कर और सभी कार्यशील दिनों में दि०वि०प्रा० के कार्यालय विकास मीनार, इन्द्रप्रस्थ इस्टेट, नई दिल्ली में प्रस्तावित संशोधनों के नक्शे निरीक्षण के लिये उपलब्ध होंगे।

[संख्या एफ० 20(10)/83-एम०पी०]

विकास मीनार,

नाथूराम, सचिव

इन्द्रप्रस्थ इस्टेट,

नई दिल्ली-110002

दिनांक 23-7-1983

DELHI DEVELOPMENT AUTHORITY**PUBLIC NOTICE**

S.O. 2967.—The following modification, which the Central Government proposes to make to the Master Plan for Delhi is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send the objection or suggestion in writing to the Secretary, Delhi Development Authority, Vikas Minar, Indraprastha Estate, New Delhi within a period of thirty days from the date of this notice. The persons making the objection or suggestion should also give his name and address :—

MODIFICATION :

“The land use of an area measuring about 8.98 hect. (22.2 acs.), falling in zone D-21 and surrounded by ‘residential use’ (Netaji Nagar) and ‘public & semi-public facilities’ (Maitree College) in the east, 24.4 mts.(80’) wide zonal road in the south and ‘residential’ use (Moti Bagh) in the north and west is proposed to be changed from ‘recreational use’ (Distt. parks, playground and open spaces) to ‘residential’ use (Foreign Missions).”

2. The plan indicating the proposed modification will be available for inspection at the office of the Authority, Vikas Minar, Indraprastha Estate, New Delhi on all working days except Saturdays, within the period referred to above.

[No. F. 20(10)/83-MP]

NATHU RAM, Secy.

Vikas Minar,
Indraprastha Estate,
New Delhi-110002
Dated : 23-7-83

MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour)

New Delhi, the 5th July, 1983

S.O. 2968.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court No. 3, Dhanbad, in the industrial between the employers in relation to the management of Dehri Rohtas Light Railway Co. Ltd., Dalmianagar, and their workmen, which was received by the Central Government on the 28th June, 1983.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3,**DHANBAD**

Reference No. 52/80

PARTIES:

Employers in relation to the management of Dehri Rohtas Light Railway Co. Ltd., Dalmianagar.

AND

Their workmen.

APPEARANCES :

For the Employers—Shri D. Mukherjee, Advocate.

For the workmen—None.

INDUSTRY : Railway

STATE : Bihar

Dated, the 18th June, 1983

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-41011(5)/80-D. II(B) dated the 10th September, 1980.

SCHEDULE

"Whether the action of the management of the Dehri Rohtas Light Railway Co., Dalmianagar (Rohtas) in declaring lock-out from 10-10-79 to 29-11-79 was justified? If not, then to what relief the workmen are entitled to?"

2. The case of the workmen is that the management declared lockout without giving notice as required under the Industrial Disputes Act. It is submitted that the Railway is a public utility concern and lockout and strike are prohibited without giving notice as required. The plea of the management that the workmen were not staying for performing their duties when called upon beyond the duty hours even in exigency and accidents is not at all correct or they resorted to part-time strike or slow down their performance. It is, therefore, prayed that the lockout for the period in question is illegal and unjustified and the workmen are entitled to all the monetary and other dues for the said period.

3. The contention of the management is that the General Secretary of the Dehri Rohtas Light Railway Employees Union submitted a letter dated 14-1-80 to the A.I.C. alleging that the management had declared a lockout from 12-10-79 to 29-11-79 but the said dispute was raised without raising any dispute before the management at all and hence this dispute is not an industrial dispute. It is, however, stated that the main earnings of the company are derived from the goods traffic and carrying of limestone from the quarries of M/s. Parshva Properties Ltd., and from the quarries of M/s. Sone Valley Portland Cement Co. Ltd., belonging to M/s. Rohtas Industrial Ltd. Dalmianagar which constitutes about 90 per cent of total goods traffic. There was a strike in the aforesaid quarries which was followed by a lockout from 8-6-79. The situation was further aggravated by the squatting at Baulia Road Station Yard by the striking

workmen of M/s. Parshva Properties Ltd., with a view to obstruct the limestone movement. Similarly there was a strike by the workmen of M/s. Sone Valley Portland Cement Co. Ltd., and there was a lockout. Due to this the movement of limestone virtually came to a standstill and the management of this company suffered heavy loss but still the management did not take recourse to lay-off retrenchment or lockout etc. After resumption of work in the aforesaid quarries the workmen concerned resorted to slow down of work and there was a severe deterioration in operating efficiencies viz. Engine Turn Round Time, Average Wagon load etc. The management by several letters requested the workmen to extend their co-operation and to resume their normal working but to no effect. They continued to slow down their work and disturbed the working. On 29-9-79 some of the workmen unauthorisedly forced their entry into the Dalmianagar Running Shed and took over the locomotive of 141 up train forcibly from the booked crew with a motive to run the train in an unauthorised manner. On 3-10-79 about 30 workmen resorted to illegal gherao and wrongful confinement to the Chief Executive of the Company and the Vice-President of the Cement Division in the general office from 7 p.m. to 5 a.m. On 5-10-79 loco drivers of 152 Dn. and 182 Dn. trains stabled their trains on both the running lines at Indrapuri Station from 11.10 p.m. blocking the through running of the trains. Similar disturbances were made on other dates as detailed in the written statement filed by the management. The management by their letter dated 10-10-79 addressed to the Labour Enforcement Officer and Labour Commissioner reported all the above facts but to no effect. Finally on 10th & 11th October the workmen went on an illegal and unjustified strike without any notice and when the matter became worse the management declared lockout in terms of the notice dated 11-10-79 with effect from '0' hour of 12th October 1979 until further notice. Finally a settlement was arrived at and lockout was lifted. It is submitted that the lockout was declared in view of the above circumstances and illegal action of the workmen and hence it was legal and valid and the concerned workman are not entitled to any relief.

4. The point for consideration is as to whether the action of the management in declaring lockout from 10-10-79 to 29-11-79 is justified. If not, to what relief the concerned workmen are entitled.

5. Though in the terms of Reference lockout is said to have been declared from 10-10-79 but it is admitted that it was actually from 12-10-79. It may also be mentioned that when the case became ready for hearing, several notices were given to the union to come ready for hearing of the case and all those were sent as many as 7 dates till the date of ex parte hearing of the Reference, but the union never came ready. The management, however, in support of their case has examined 2 witnesses who are Traffic Inspector and Senior Plant Engineer and they have come to support the case of the management and have stated as to how the workmen concerned paralysed the working of the Railway and resorted to slow down and finally struck work for 2 days. The management has also filed the letters Ext. M-1 series dated 31-8-79, 2-9-79, 20-9-79, 6-10-79 and 8-10-79 issued by the Chief Executive to the workmen as also to the union requesting them to resume their normal work, but these letters go to no effect and finally on 11-10-79 notice of lockout (Ext. M-2) was issued. Ext. M-3 is the settlement dated 29-11-79 arrived at between the union and the management as a result of which lockout was lifted on the same day by letter Ext. M-3/1. Ext. M-4 is the statement showing the performance of train during the period in question when slow down tactics was adopted and Ext. M-5 is the statement showing the performance of locos for the period relevant for this case. They have been prepared by the 2 witnesses examined in this case and they have proved the same. From all the above facts it is clear that the workmen concerned resorted to slow down work and ultimately went on strike for 2 days. They also paralysed the function of the Railways in different ways as stated in the written statement of the management. The work performed by them has been shown by Ext. M-4 & M-5 which show that there was deterioration day by day and the appeal and requested by the management bore no fruit.

6. In such circumstances and considering the evidence on record, I hold that the action of the management in declaring

the lockout was justified and legal and accordingly the concerned workmen are not entitled to any relief.

7. The award is given accordingly.

J. N. SINGH, Presiding Officer.
[No. L-41011(5)/80-D.II(B)]

S.O. 2969.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of the Superintendent of Post Offices, Kota and their workmen, which was received by the Central Government on the 30th June, 1983.

BEFORE SHRI O. P. SINGLA ; PRESIDING OFFICER :
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL :
NEW DELHI

I.D. No. 8 of 1981

In the matter of disputes between

Shri Chhotu Lal son of Sh. Mangi Lal
Outside Orderly, Class IV.
C/o Munsif & Judicial Magistrate, Chabra,
District Kota (Rajasthan).

AND

The Senior Superintendent of Post Offices, Kota, Division, P&T Department.

PRESENT :

Shri Jeewan Das—for the Management.

None—for the workman.

AWARD

The Central Government, Ministry of Labour, on 16th January, 1981 vide Order No. L-40012(1)/77-D.II.B. made the reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the Superintendent of Post Offices, Kota, in terminating the services of Shri Chhotu Lal, Outside Orderly, Class IV, with effect from 1-7-1975 was justified? If not, to what relief the workman is entitled?"

2..The workman in his Statement of Claim asserted that he has worked under the Non-applicant from 13-7-73 to 30-6-75 on the post of Ex-Outside Mail Peon (Class IV) at S.P.O.S. Kota Division, Kota and that he served for more than 240 days continuously and acquired rights under the Industrial Disputes Act, 1947, but was refused duty on 1-7-75 unauthorisedly without compliance with Section 25-F of the Industrial Disputes Act, 1947. He claimed reinstatement in service with full back wages and continuity of service.

3. The Management contested the claim and stated that the workman, Chhotu Lal was never employed as regular Class-IV Orderly to SSPOS, Kota and, therefore, the question of termination of service did not arise. They have further stated that he never worked for 2 years continuously without any break. They stated that he was engaged as Out-sider Class IV for intermittent periods on contingent basis and was paid from contingent expenditure and not from wages fund. There are statutory rules called "Posts & Telegraphs (Class IV Posts) Recruitment Rules, 1970" which govern the recruitment to the cadre of Class IV Staff and Chhotu Lal was not entitled to absorption to Class IV Cadre merely on the ground his working intermittently on contingent basis as Out-sider Orderly. The vacancies of Class IV posts are required to be filled up in the order of preference laid down in DGP&T, New Delhi letter No. 45/13/72-SPBI(Pt.) dated 29-6-73.

4. The Management annexed a chart which showed that the workman, Chhotu Lal, worked in the year 1973 for 202 days, in the year 1974 for 190 days and in the year 1975-76 for 72 days.

5. After filing the Statement of Claim, the workman did not appear, despite notice and Shri Jeewan Dass has put in appearance and has filed an affidavit and has specifically stated that Chhotu Lal worked only intermittently on contingent basis and never worked for 240 days in a year. Accordingly, Chhotu Lal is not entitled to any relief and the action of the Management in not giving him the duty on 1-7-75 was justified. Award is made accordingly ex-arte.

Further ordered that the requisite number of copies of this award be forwarded to the Central Government for necessary action at their end.

June 15, 1983.

O. P. SINGLA, Presiding Officer.

[No. L-40012(1)/77-D-II(B)]

HARI SINGH, Desk Officer

New Delhi, the 5th July, 1983

S.O. 2970.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi, in the industrial dispute between the employers in relation to the management of Dena Bank, Lucknow and their workman, which was received by the Central Government on the 29th June, 1983.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER :
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL :
NEW DELHI

I.D. No. 36 of 1983

In the matter of dispute between

Shri H. P. Singh

through

U.P. Bank Employees Congress, Anandnagar,
70, Jail Road, Lucknow.

AND

Dena Bank,

Hazarat Ganj, Lucknow.

PRESENT :

Shri O. P. Nigam—for the workman

Shri J. S. Nanda—for Shri R. C. Pathak—for the Management.

AWARD

The Central Government, Ministry of Labour, on 20th May, 1982 vide order No. L-12012/206/81-D.II(A) made the reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Dena Bank in relation to this Hazratganj, Lucknow Branch in not appointing on permanent basis Shri H. P. Singh as Head Cashier to which post he was appointed w.e.f. 1-7-78 is justified? If not, to what relief the concerned workman is entitled to?"

A number of dates were given to Shri O. P. Nigam, representative of the workman to file the statement of claim of the workman, but none has been filed. Today, he has made a statement that he was not interested in pursuing the case and requested that a No Dispute Award be made.

3. It appears that the U.P. Bank Employees Congress is not interested to pursue the dispute referred to this Tribunal and therefore a 'No Dispute Award' is made.

Further ordered that the requisite number of copies of this Award be forwarded to the Central Government for necessary action at their end.

O. P. SINGLA, Presiding Officer.

[No. L-12012/206/81-D-II(A)]

S.O. 2971.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No 2, Bombay, in the industrial dispute between the employers in relation to the management of State Bank of India, Bombay and their workmen, which was received by the Central Government on the 27th June, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, BOMBAY.

CCMP/CGIT-2/3 of 1983

(Arising out of Ref. No. CGIT-2/32 of 1982)

AND

Misc. Appln. No. 6 of 1983

PARTIES :

State Bank Workers' Organisation, Nagpur : Complainant
V/s.

The General Manager, State Bank of India,
Bombay. : Respondent

APPEARANCES :

For the Complainant.—(1) Shri S. P. Chaudhari, Vice-President, State Bank Workers Organisation Nagpur.
(2) Shri P. V. Gede, Asstt. Secretary, State Bank Workers' Organisation, Nagpur.

For the Respondent.—Shri A. A. Khan, Office-in-Charge, Disciplinary Proceedings Cell, Chief Regional Manager's Office, Nagpur.

INDUSTRY : Banking STATE : Maharashtra

Bombay, the 15th June, 1983

AWARD

(Dictated in the Open Court)

Present complaint is lodged under Section 33A of the Industrial Disputes Act on the allegation that in a domestic enquiry instituted by the opponent Bank against Shri V. S. Bhuralkar, the opponent is prohibiting Shri S. P. Chaudhary, Vice-President of the Workers' Organisation, which is the registered Trade Union of State Bank Employees, from defending the charge-sheeted workman and it is alleged that in violation of Section 33 there is a change in condition of service during the pendency of the Reference No. CGIT-2/32 of 1982, in which the same workman is involved.

2. In this regard the provisions of para 19.12 of Bipartite Settlement 1966 laying down the procedure for enquiry and further relying the provisions of the defence of the charge-sheeted workman are crystal clear. The paragraph states—

“He (workman) shall also be permitted to be defended—

(i) (x) by a representative of a registered trade union of bank employees of which he is a member on the date first notified for the commencement of the enquiry.

(y) where the employee is not a member of any trade union of bank employees on the aforesaid date, by a representative of a registered trade union of employees of the bank in which he is employed :”

3. From these provisions, which are the part and parcel of the Bipartite Settlement binding on the parties it is evident that the question of representation by the employee of the Bank would arise if the first eventuality does not govern the matter. In case the charge-sheeted workman is found to be the member of the registered Trade Union of the Bank employees on the date first notified for the commencement of the enquiry, he has a right to be defended by representative of such Union, irrespective of whether he is an employee of a particular Bank or not.

4. Realising this position Shri Khan on behalf of the Bank today has given assurance that the Bank has no objection to allow Shri Chaudhary to represent the workman concerned in the enquiry in question. In view of this assurance really speaking the purpose of the complaint is fully achieved and I do not think that the matter need be prosecuted further. My views are stated so that they may guide the parties in other proceedings also.

The complaint is, therefore, disposed of.

The stay granted as ad-interim relief is vacated.

No order as to costs.

M. A. DESHPANDE, Presiding Officer

[No. L-12014/1/83-D-II(A)]

N. K. VERMA, Desk Officer

New Delhi, the 5th July, 1983

S.O. 2972.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Bhurkunda Colliery of Central Coalfields Limited, P. O. Bhurkunda, District Hazaribagh (Bihar) and their workmen, which was received by the Central Government on the 25th June, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2), DHANBAD

Reference No. 56 of 1981

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Bhurkunda Colliery of CCL, P. O. Bhurkunda, Dist. Hazaribagh and their workmen.

APPEARANCES :

On behalf of the employers.—Shri R. S. Murthy, Advocate.

On behalf of the workmen.—Shri J. D. Lal, Advocate.

STATE : Bihar,

INDUSTRY : Coal.

Dhanbad, the 21st June, 1983

AWARD

This is a dispute under S. 10 of the I.D. Act, 1947. The Central Government by its order No. L 24012(6)/81-DIV(B) dated 22-8-1981 has referred this dispute to this Tribunal for adjudication on the following terms :—

SCHEDULE

"Whether the superannuation with effect from 1-3-80 of Shri Jugal Mondal, Main Driver, Bhurkunda colliery of Messrs Central Coalfields Limited, P. O. Bhurkunda, Hazaribagh is justified? If not, to what relief is the workman entitled?"

2. The case of the workman Shri Jugal Mondal is that he was appointed in Argada incline of Bhurkunda colliery as Main driver on 1-3-1960 under National Coal Development Corporation. According to him his date of birth at the time of appointment was 1-3-1933. An identity card was issued by the management to him showing his date of birth to be 1-7-1933. He became a member of Coal Mines Provident Fund organisation and in Form A his age recorded was 1-3-1933. He received a notice of retirement w.e.f. 1-3-1980 and accordingly he made representation dated 22-8-79 to the Dy. Chief Engineer that the date of birth shown to be 1-3-1920 was wrong. He did not receive any reply and was superannuated on 1-3-1980 on the ground that he has attained the age of 60 years. After his retirement he was examined by an Age Committee on 25-7-80. But he did not know what report was submitted by the Age Committee. He thereafter represented before the Director of Personnel, Central Coalfields Ltd., Ranchi by his letter dated 30-9-80 alleging that he was wrongfully retired on 1-3-80. After no reply was received he raised this industrial dispute before the Assistant Labour Commissioner (C) Hazaribagh by his letter dated 12-1-81. Since there was no settlement the Assistant Labour Commissioner (C) Hazaribagh referred the matter to the Government of India, Ministry of Labour and this reference was made to this Tribunal for adjudication.

3. The case of the management is that in the service record the date of birth of the concerned workman is mentioned to be 1-3-1920. He was aged 40 years on the date of his first appointment in National Coal Development Corporation Ltd., on 1-3-1960. Such entries are mentioned in the service record as done with several other workmen of the collieries of N.C.D.C. The case of the management is that form A of Mines Provident Fund was not available in the office of the Coal Mines Provident Fund and the Commissioner also replied that due to lot of manipulation in the form A, the entries made in Form A could not be relied upon. With regard to the allegation of the concerned workman that in the identity card issued to the concerned workman mentioning his date of birth to be 1-7-1933, the management has no information. At any rate the contention of the management is that the mention of age or date of birth in the identity card is not authentic proof of the age of workman as such identity card was issued by the NCDC in order to avoid impersonation in the matter of duties of a workman or receiving of pay from the office of the colliery. With regard to the examination of the concerned workman by

Age Committee the plea taken by the management is that the Age Committee did not sit to assess the age of the concerned workman because he had already retired and the circular of C.C.L. prohibits assessment of age of retired persons.

4. In this case a number of documents have been filed by both sides. Although the notice of superannuation has not been filed either by the workman or by the management, we have before us a document, Ext. W. 1 which is dated 22-8-79. This is a document bearing the thumb impression of Shri Jugal Mondal, Main driver addressed to the Dy. C.M.E., Bhurkunda colliery through Senior Mining Engineer, Mines No. 1 & 2, Bhurkunda. Shri Jugal Mondal contended in this letter that his date of birth wrongly entered in the service sheet is April, 1920 whereas his actual date of birth is 1-7-33 as mentioned in the identity card and the C.M.P.F. record. He requested that his date of birth should be corrected from C.M.P.F. record so that his service sheet should be corrected. Obviously such a representation was made by him about six months before the date of superannuation on the basis of service records. Withing this six months no action appears to have been taken by the management because no reply was sent. The earliest reply is contained in Ext. W-3 which is the notice dated 22/23-7-80 signed by Senior Personnel Officer, Bhurkunda, copy of which was issued to Shri Jugal Mondal and 3 other members of the Age Committee. The Age Committee consisted of Dy. C.M.E., Sr. Medical Officer and Dy. Personnel Manager of Bhurkunda colliery. The concerned workman was asked to appear before the Age Committee on 25-7-80 at 10.00 A.M. The evidence of the concerned workman is that he appeared before the Age Committee and he was examined by the members of the Age Committee. He could not know about the report of the Age Committee. This fact he also mentioned in Ext. W. 2 which is a letter of Shri Jugal Mondal dated 30-9-80 addressed to the Director (Personnel) CCL, Ranchi. He received no reply.

5. The management, on the other hand, have placed on the record a number of documents. Exts. M 1 and M 2 are connected with the industrial dispute and we need not discuss them. Ext. M 3 is the service sheet of Shri Jugal Mondal. In column No. 2 which is for the date of birth the age is shown to be 40 years and the date is shown to be 1-3-1920. This is the original service sheet and entries from time to time have been made in this document signed by the colliery manager. Ext. M 4 is attested copy of a letter of Regional Coal Mines Provident Fund Commissioner's office addressed to the Dy. C.M.E., Bhurkunda. This letter is dated 23-2-82. It is mentioned that Form A in respect of Shri Jugal Mondal is not available in the office. It was also mentioned that the genuineness of age could not be certified as there was large scale manipulation in the past. It was signed by Shri R. K. Gupta, Assistant Finance Officer, Regional Coal Mines Provident Fund office. Thereafter we have a number of circulars which are Exts. M5 to M16. I need not discuss the circulars in detail. Suffice it to say that certain guidelines had been issued by the NCDC and subsequently by the successor Central Coalfields Ltd. that under certain conditions Age Committee should be set up to assess the age where such entry of age was not made in the service record or in Form A of CMPE. There are certain circulars showing that officers did not follow the direction and it was positively laid down that if a workman retires there could be no question of assessment of age by any Age

Committee. It was pointed out that in case age was mentioned in the service record and there was no reason to doubt the genuineness of the same, the matter should not be referred to the Age Committee for assessment of age. There is no doubt that the circulars are very clear in the matter of their application and observance. The contention of the management before me is that in this case the management tried to see if the entry of age of the concerned workman in the service record could be verified from Form A of the CMPPF. It has been shown that Form A of the concerned workman was not available in the record of CMPPF and so the entries in the service sheet could not be verified with the Form A of the CMPPF. With regard to the issue of notice, Ext. W. 3 it has been accepted that such a notice had been issued after the retirement of Shri Jugal Mondal. According to the management the issue of such a notice was not consistent with the circular of the management and the officer who did it had wrongly done it. The management's case is that the Age Committee did not sit to consider the age of the concerned workman inspite of this notice. This has been supported by MW. 3 Shri S. K. Das, Senior Medical Officer, Bhurkunda colliery. He was a member of the Age Committee and he got a copy of Ext. W. 3. He has said that the Age Committee did not examine Shri Jugal Mondal as per Ext. W. 3 because the Committee members came to know that Shri Jugal Mondal had already been retired from service.

6. From the evidence discussed by me above it will appear that the management acted according to the circular. The genuineness of the service record cannot be doubted as there could be no positive reason for coming to a conclusion that colliery. It will wrong entry was made. Besides that we have Ext. M 8, which is Form B register of Bhurkunda colliery. It will show that under S. No. 141 the date of birth of Shri Jugal Mondal is 1-3-1920. The workman has claimed that in the identity card his date of birth has been shown to be 1-7-1933. But in his evidence he has said that he has lost the identity card. So, the only document in his favour was the identity card which he has not been able to produce.

7. Thus considering all aspects of the case I hold that superannuation with effect from 1-3-80 of Shri Jugal Mondal Main Driver, Bhurkunda colliery of Messrs Central Coalfields Limited, P. O. Bhurkunda, Hazaribagh is justified. Consequently, the concerned workman is not entitled to any relief.

This is my award.

I. P. SINGH, Presiding Officer

[No. L-24012(6)/81-D. IV(B)]

S.O. 2973.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta-69, in the industrial dispute between the employers in relation to the management of Chinakuri Sub-Area of Eastern Coalfields Limited, P.O. Sunderchak, Burdwan and their workmen, which was received by the Central Government on the 28th June, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 27 of 1980

PARTIES :

Employers in relation to the management of Chinakuri Sub-Area of Eastern Coalfields Ltd.;

AND

Their Workmen.

PRESENT :

Mr. Justice M. P. Singh, Presiding Officer.

APPEARANCES :

On behalf of Employers—Mr. B. N. Lala, Advocate.

On behalf of Workmen—Absent.

STATE : West Bengal.

INDUSTRY : Coal.

AWARD

By Order No. L-19012(51)/78-B.IV(B) dated 18th April, 1980 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Chinakuri Sub-Area of Eastern Coalfields Limited, Post Office Sunderchak, Burdwan in not paying the A.S. Face Allowance to their workmen was justified? If not, to what relief are the concerned workmen entitled?”

2. When the case was taken up none appeared from the side of the Union. Sri B. N. Lala, Advocate appeared for the management of Chinakuri Sub-Area of ECL. It appears from the order sheet that the workmen had not appeared on any of the dates fixed for hearing of the case in the year 1983. The dates fixed were 7-2-83, 17-3-83, 27-4-83 and today the 23rd June, 1983. In the year 1982 also they did not appear on 14th May, 1982 and 3rd June, 1982. The Union appeared only on 2nd December, 1982 and since then they have not taken any interest in the case. Sri B. N. Lala submits that the Union may possibly have no interest in the case because by virtue of the Bipartite Settlement dated 12th June, 1968 which is still in force no workmen of the management were entitled to A. S. Face allowance from 12th June, 1968. He has pointed out that A. S. Face allowance ceased to exist from the said date. In this connection he drew my attention to the preliminary issue framed by Justice R. Bhattacharjee, the then Presiding Officer on 13th February, 1981 which is as under:

“Whether the claim of the workmen for A.S. Face Allowance is barred by bipartite settlement dated 12-6-1968 and if so, whether the said settlement is subsisting? Whether the agreement has been removed from the side of the Union?”

This preliminary issue was ordered to be heard along with merits of the case. Mr. Lala also referred to the case of *Life Insurance Corporation of India reported in 1981 ILJ*, p.1 (SC), paragraphs 25, 32 and 42 in order to support his contention that the workmen will not be entitled to any allowance in such a situation. He also referred to some other Supreme Court cases but it is not necessary to refer to them. I have mentioned this fact merely to show that this may be a good ground to think that the workmen are not interested in accordingly disposed off.

3. In the facts and circumstances of this case mentioned above, I infer that the concerned Union, namely West Bengal Khan Mazdoor Sangh is not interested in this case now and for this reason they have not been appearing in the case on several dates as above mentioned. In this situation, I hold that there is no dispute now for decision. The reference is accordingly disposed off.

M. P. SINGH, Presiding Officer.

Dated, Calcutta,

The 23rd June, 1983.

[No. L-19012(51)78-D.IV(B)]

A. V. S. SARMA, Desk Officer

New Delhi, the 6th July, 1983

S.O. 2974.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Khottadih Colliery of Messrs Eastern Coalfields Limited, Post Office Khottadih (Burdwan) and their workmen, which was received by the Central Government on the 29-6-83.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 90/82

PRESENT:

Shri J. N. Singh, Presiding Officer.

PARTIES:

Employers in relation to the management of Khottadih Colliery of M/s. Eastern Coalfields Ltd., P.O. Khottadih (Burdwan).

AND

Their workmen

APPEARANCES:

For the Employers—Shri R. S. Murthy, Advocate.

For the Workmen—None.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 22nd June, 1983

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/S 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947), has referred the dispute to this Tribunal for adjudication under Order No. L-19012(100)/82-D.IV(B) dated the 23rd September, 1982.

SCHEDULE

"Whether the management of Khottadih Colliery of M/s. Eastern Coalfields Ltd., P.O. Khottadih (Burdwan) was justified in terminating the services of Shri Misree Ram, Shale Picker with effect from 1-7-1979? If not, to what relief the workmen concerned are entitled?"

2. After receipt of the Reference registered notice were issued to the parties to file their respective written statement. The management filed their written statement but none appear on behalf of the Union. Another registered notice was again issued to the union on 4-1-83 for submission of their written statement on 9-2-83. On that date also none appeared on behalf of the union and the case was adjourned to 21-3-83. On 21-3-83 Sri B. S. Azad, General Secretary of the sponsoring union Khan Shramik Congress filed a petition stating that the Organising Secretary is dead, hence the case will be represented by the General Secretary of the union and he requested that a fresh notice be sent to the General Secretary, Khan Shramik Congress, Cinema Road, Ukhra. Accordingly a registered notice was sent fixing 29-4-83 for hearing. On 29-4-83 also none appeared on behalf of the union and again a fresh registered notice was sent to them directing them to come ready for hearing of the case on 2-6-83 failing which it will be disposed of in their absence. On 2-6-83 also none appeared for the union and the case was adjourned to 20-6-83. On 20-6-83 also none appeared on behalf of the union.

3. It is thus clear that inspite of all efforts taken by the Tribunal, the union is not coming to contest the case and they have no interest in it. It shows that there is no dispute between the parties and hence, in the circumstances, a 'no dispute' award is passed.

J. N. SINGH, Presiding Officer.

[No. L-19011(100)/82-D.IV(B)]

New Delhi, the 7th July, 1983

S.O. 2975.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Ballhari Colliery of Bhagaband Area of Messrs Bharat Coking Coal Limited, Post Office Kustunda, District Dhanbad and their workmen, which was received by the Central Government on 30th June, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2), DHANBAD

Reference No. 81 of 1981

In the matter of an industrial dispute under S. 10(1)(d)
of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Balihari
colliery of Bhagaband Area of Messrs Bharat Coking
Coal Limited, Post Office Kusunda, District Dhanbad
and their workmen.

APPEARANCES:

On behalf of the employers—Shri R. Joshi, Advocate

On behalf of the workmen—Shri S. Bose, Secretary,
Rashtriva Colliery Mazdoor Sangh, Dhanbad.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 24th June, 1983

AWARD

This is an industrial dispute under S.10 of the I.D. Act, 1947. The Central Government by its order No. 1-20012/275/81-D. III(A) dated 14th December, 1981 has referred this dispute to this Tribunal for adjudication on the following terms:

SCHEDULE

"Whether the demand of the workmen of Balihari colliery of Bhagaband Area of Messrs Bharat Coking Coal Limited, Post Office Kusunda, District Dhanbad that Shri G. L. Singh, Senior Overman should be granted one special increment of pay in his existing scale of pay of Rs. 722-1278 with effect from the 3rd May, 1980 is justified? If so, to what relief is the workman entitled?"

2. The case of the workman stated in the written statement is that during 1978 and 1979 the concerned workman Shri G. L. Singh, Overman, Shri B. D. Sharma, Overman, Shri Collector Singh, Shri Loknath Yadav and Shri Bijoy Prasad, all mining sirdars had been working in 6 Pit sinking and 11-12 Pits Project under Shri K. P. Singh, Sr. Mining Engineer. The project was successfully carried out before time and therefore on the opening day the Chairman-cum-Managing Director of Bharat Coking Coal Ltd. was pleased to announce that all workmen who had successfully carried out the project should be allowed one special increment. Accordingly by memo dated 5-2-79 Shri K. K. Singh, Sr. Mining Engineer recommended all the names of the 5 workmen including the concerned workman to the Superintendent, Balihari Colliery to pay them one extra yearly increment. On the basis of the aforesaid recommendation the colliery Management forwarded the proposal to the Area General Manager for sanction of the recommendation vide memo dated 3-4-80. But by oversight the name of the concerned workman, Shri G. L. Singh was omitted. According to the concerned workman in this letter the serials were typed as follows: 1, 2, 3, & 5 without typing the figure 4 and the name which should have been that of the concerned workman. It so happened that the approval of the General Manager was given to the recom-

mendation made in the memo dated 3-4-80. An office order dated 14-5-80 granting the special increment to four persons were given without mentioning the name of the concerned workman. When the concerned workman came to know about the mistake in the memo dated 3-4-80 he represented his case before the management. The management, however, declined to make any amendment in the order with the result that the concerned workman was deprived of the special increment. This has led to the industrial dispute because there could not be any conciliation settlement. The prayer of the concerned workman is that he should be allowed one special increment w.e.f. 3-5-80 when all other colleagues of him were allowed special increment.

3. The management has taken the plea that the concerned workman, Shri G. L. Singh was an overman in Grade B in the scale of Rs. 604-35-920-40-1180 under NCWA II in the year 1980. He was promoted to the post of Sr. overman in Grade A in the scale of Rs. 722-42-1058 44-1278 under NCWA II. The basic salary of the concerned workman in Grade B at the time of his promotion was Rs. 780 per month and on promotion in Grade A he got the corresponding scale in May, 1980 at Rs. 890 per month basic granting four increments in the aforesaid Grade A. By this fitment the concerned workman got more benefit of annual increment than what was due to him. According to the management the demand for grant of one further increment above Rs. 890 is absurd and untenable in law. It was admitted by the management that a special increment was allowed for sinking operation carried out in 1978 and 1979 at Pit No. 5 & 6 of Balihari colliery. Some supervisory staff put their initiative and zeal in making the shaft sinking operation for opening of new working areas. The management's case is that while the names of four persons were recommended for grant of a special increment, the name of the concerned workman was not recommended because he was promoted to the post of Sr. overman during the relevant time and his basic pay was fixed taking into consideration the special annual increment in Grade B in which he was there at the time of announcement of special increment. Thus, he got double benefit of special increment and promotion and therefore his case was not recommended for grant of special increment as was done in the case of other overmen and mining sirdars. The management's case is that the union of the concerned workman presented the demand on incorrect appreciation of the procedures adopted in the present case. According to the management his fitment in Grade A was done taking into account one special increment in Grade B in which the concerned workman was on the date of announcement, and that there cannot be any further special increment in the Grade A after his promotion. The case of the management is that no incentive increment was sanctioned to the concerned workman after his promotion. In view of the case presented by the management the demand of special increment to the concerned workman in Grade A was illegal, unreasonable and unjustified.

4. A number of documents were filed on behalf of the concerned workman and they are mostly photostat copies of management's documents. They are admitted into evidence without formal proof. Ext. W.1 is a letter dated 5-2-79 recommending one extra yearly increment to the mining staff who worked under him in 6 Pit sinking and 11-12 Pit project in Balihari project. Ext. W.2 is a letter of the Superintendent addressed to Shri G. L. Singh, overman. It is dated 11-2-79. The letter says as the sinking project had been completed he was asked to report for further duties at 4 Pit

S.B. section with immediate effect. Ext. W.3 is an office order dated 6-8-79 under which Shri Collector Singh, mining sirdar was promoted to the rank of overman in technical Grade B. Ext. W-4 dated 9-9-79 is another office order under which Tilok Nath Singh Yadav, mining sirdar was also promoted as overman in technical grade B. Ext. W.5 is an office order dated 5-4-80 under which the concerned workman, Shri G. L. Singh, overman was promoted as senior overman in Technical Grade A. Ext. W.6 is an office order dated 14-5-80 under which Shri Collector Singh, Loknath Singh, Shri B. D. Sharma, all overmen and one Shri Bijoy Prasad, mining sirdar were allowed a special increment for efficient working. Ext. W-7 is a letter of Rashtriya Colliery Mazdoor Sangh to the Personnel Manager, Bhagaband Area placing the case of the concerned workman for grant of a special increment. Ext. W.8 is a note-sheet of colliery Superintendent, Balihari colliery under which a special increment was recommended in respect of four persons. In this letter Sl. No. 4 is missing. In fact this is the special plea taken by the concerned workman to the effect that his name was omitted due to error and therefore he was deprived of one special increment. Ext. W.9 is a questionnaire by the Personnel Manager, Bhagaband Area in respect of the case of Shri G. L. Singh. Besides these documents the concerned workman has given his evidence in support of his case.

5. The management, on the other hand, had not examined any witness. But photostat copies of pay slips (Ext. M1) has been filed to show what pay was being drawn by the concerned workman prior to his promotion in Grade A and thereafter.

6. In considering the dispute before me I have to mention that the evidence of WW. 1 Shri G. L. Singh in his cross-examination. He has admitted Ext. M1 which are photostat copies of the pay sheets appearing his signature. According to him in January, 1980 his basic pay was Rs. 780 per month in Grade B. He was promoted from 1-4-1980 as Sr. overman in Grade A and his basic salary was fixed at Rs. 890 per month. From 1-4-80 he has further admitted that those persons whose names were recommended for doing good work in sinking jobs were given extra increments in their respective grades from 3-5-80. The evidence of WW. 1 in cross-examination leaves no manner of doubt. He was promoted w.e.f. 8-4-80 and all other who got special increment in their respective grades got the same w.e.f. 3-5-80. The position therefore is that if as a result of promotion the concerned workman was allowed one special increment to cover up the grant of a special increment to the rest four mining staff, there could be no reason for him to demand a special increment. Now let us understand the position. The concerned workman, at the time of promotion was in Grade B and his basic pay in January 1980 was Rs. 780. He was promoted to Grade A of which the starting basic pay is Rs. 722. Clearly the concerned workman was getting much more than the starting basic pay in Grade A and therefore his pay had to be fixed in the corresponding scale of Grade A. To fix him in the corresponding scale of Grade A, 3 increments of Rs. 42 as provided in Grade A was allowed to him to cover up the deficit. The amount of increments amounted to Rs. 126 which was added to the basic pay of Rs. 722 thus giving a total of Rs. 848. This is what the concerned workman would have got by placing him in the corresponding scale of Grade A in normal course. What the management did was to grant him a special increment of Rs. 42 over and above the amount of Rs. 848 thus amounting to Rs. 890 to fix the basic pay of the concerned workman in Grade A. This is purely arithmetical calculation and Shri B. Joshi, Advocate for the management has shown that without increment of Rs. 42 the concerned workman on his promotion would have got Rs. 848 as his

basic pay. But in view of the fact that the management did not want to deprive him of the special increment already committed by the management to give the mining staff, the concerned workman's basic pay was fixed at Rs. 890. On behalf of the workman no argument has been advanced as to how the basic pay of the concerned workman was fixed at Rs. 890. I think that the management's contention is correct that one special increment as promised to the mining staff was included in the basic pay fixed at the time of fixing his pay in Grade A on promotion. It may be recalled that the order of special increment was issued to the rest four after the pay of the concerned workman on promotion in Grade A was fixed. Shri Joshi has further argued that the special increment was to be added to the basic pay of the concerned workman in Grade B and if it was done the concerned workman would have got less in the corresponding scale of Grade A. The concerned workman, therefore got more than what he would have ordinarily got if the special increment was tagged on to his basic pay in Grade B.

7. Thus, considering all aspects of the case, I hold that the demand of the workman of Balihari Colliery of Bhagaband Area of Messrs Bharat Coking Coal Limited, Post Office Kusunda District Dhanbad, that Shri G. L. Singh Senior overman should be granted one special increment of pay in his existing scale of pay of Rs. 722-1278 with effect from the 3rd May, 1980 is not justified. Consequently, the concerned workman is not entitled to any relief.

This is my award.

J. P. INGH, Presiding Officer.

[No. L-20012(275)/81-D.IH(A)]

S.O. 2976.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Jogidih Colliery of Messrs Bharat Coking Coal Limited, Post Office Tundoo, District Dhanbad and their workmen, which was received by the Central Government on the 30th June, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

PRESENT :

Shri J. P. Singh, Presiding Officer.

Reference No. 37 of 1981

In the matter of an industrial dispute under S.10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Jogidih colliery of Messrs Bharat Coking Coal Limited, Post Office Tundoo, District Dhanbad and their workmen.

APPEARANCES:

On behalf of the employers—Shri B. Joshi, Advocate.

On behalf of the employers—Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh, Dhanbad.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, 25th Jun, 1983

AWARD

This is an industrial dispute under S. 10 of the I.D. Act, 1947. The Central Government by its order No. L-20012(43)/81-D.IH(A) dated 5th June, 1981 has referred this dispute to this Tribunal for adjudication on the following terms:

SCHEDULE

"Whether the action of the management of Jogidih colliery of Messrs Bharat Coking Coal Limited, Post Office Tundoo, District Dhanbad in not promoting Shri Sudhakar Tewary, P. F. Clerk Incharge from Grade II to Grade-I (Clerical) at least with effect from the date on which his juniors have been promoted is justified? If no, to what relief is the said workman entitled?"

2. The concerned workman Shri Sudhakar Tewary was appointed in the clerical cadre in 1967 at Khas Bahiardihi colliery. According to him he was performing the duties of head clerk at the time of nationalisation of the said colliery. After nationalisation Khas Bahiardihi colliery was merged with Jogidih colliery where also he was given the duty of office-in-charge of the reorganised Jogidih colliery office. After some time the concerned workman was made in-charge of P.F. Section in the same office. The case of the concerned workman is that by virtue of the job performed by him he was entitled to receive salary of Grade I, but instead he was wrongly placed in clerical grade II. The concerned workman represented before the colliery management for rectification of his proper scale of pay, but the same could not be done by the management. Feeling frustrated the union of the concerned workman viz. Rastriya Colliery Mazdoor Sangh by letter dated 30-8-79 raised an industrial dispute before the Assistant Labour Commissioner (Central), Dhanbad. The conciliation ended in failure and hence this reference was made.

3. The management, on the other hand, has alleged that in substance this dispute means that the concerned workman was superseded by the juniors in the matter of promotion. According to the management there could be no reference on the question of promotion and that in the instant case it has not been pointed out as to who are the juniors of the concerned workman who have superseded him. According to the management the concerned workman was not a head clerk or incharge of Provident Fund Section. He was a P.F. Clerk placed in clerical grade II of the Coal Wage Board recommendation with a starting salary of Rs. 254 on 1-8-1973. The take over by the Government was effected from 31-1-73 and nationalisation w.e.f. 1-5-73. Before the take over the colliery had not implemented the wage board recommendation and so the workman had not been fixed in any grade provided under Coal Wage Board recommendation. It was after nationalisation that a proper grade was fixed and the concerned workman was placed in clerical Grade II w.e.f. 1-8-73. The management's case is that later on a policy decision was taken by the management of Bharat Coking Coal Limited under which a cadre scheme was formulated area-wise. Khas Bahiardihi colliery which was amalgamated with Jogidih colliery was placed in Govindpur Area. A seniority list of clerical cadre was prepared for this Govindpur area in which the name of the concerned workman also appears. The concerned workman naturally became junior in the seniority list which was prepared for the entire area. The management, thus, has pleaded that the concerned workman was not superseded by any of his juniors and so on relief could be granted to him in this reference.

4. Now let us see what the evidence is in this case. The concerned workman is WW. 1. His evidence is that he started working in Khas Bahiardihi colliery in 1967 as head clerk.

He has said that the take over took place on 31-1-73 and the nationalisation w.e.f. 31-5-73. He has admitted that ever since 1967 he was in clerical grade II. After amalgamation of Khas Bahiardihi colliery with Jogidih colliery he was allotted the duty of P.F. Clerk against which he had protested, but he continued to work as P.F. Clerk. In 1977 the first Departmental Promotion Committee was constituted which did not consider his case for promotion to Grade I. But in March, 1982 he was given clerical grade I as shown from Ext. M2. The seniority list, Ext. M1 shows his name under Sl. No. 18. His case is Sl. No 16 is junior to him.

5. So far as documentary evidence is concerned, Ext. W.1 is the letter dated 23-2-78 written by the manager, Jogidih colliery addressed to the General Manager, Area No. III. This letter has been filed to show that the concerned workman Shri Sudhakar Tewari was managing the P.F. works and posting of bonus register in respect of monthly paid staff. He recommended his promotion to Grade I. Ext. W.2 is another letter by the Manager, Jagdish colliery to the Personnel Manager requesting to expedite the matter of promotion of the concerned workman to grade I. Ext. W.3 is an office order dated 27-1-82 under which he was given the duties of bonus posting and P.F. Posting of employees. Ext. W. 4 is an office order dated 16-3-82 under which Shri Sudhakar Tewary, the concerned workman was promoted to grade I. Ext. W-3, therefore is no evidence to indicate that the concerned workman was incharge of bonus posting and P.F. posting which is the job of grade I, because it is a document after the date of promotion of the concerned workman.

6. The management have examined MW-1 Shri S. S. Dhilon, Sr. Personnel Officer attached to Area No. III (Govindpur Area). He is incharge of this case. He has proved a true copy of the seniority list attested by Shri Rajendra Mohan, Personnel Manager of this area, marked Ext. M1. The concerned workman Shri Sudhakar Tewary in this list is in Sl. No. 18. His case was considered by the Departmental Promotion Committee and he was cleared by the Departmental Promotion Committee for promotion. He has proved Ext. M2 which is a letter dated 4/15-2-82 under which the concerned workman and some others were promoted to grade I. The witness has said that there is nothing to show that the concerned workman was superseded by any junior to him.

7. In this case there is no evidence to show that the concerned workman was appointed in 1967 as head clerk as deposed by WW. 1. His case in the written statement is that at the time of nationalisation he was a head clerk. The management's case is that in Khas Bahiardihi colliery the private owner of the colliery was not following the wage board recommendation and there was no scale for any clerical or other workmen. It was the Bharat Coking Coal Ltd. which introduced the scale as given in the wage board recommendation and soon after nationalisation the concerned workman was placed in clerical grade II. The seniority list shows that many clerks above him are non-Matriculate and the concerned workman is Matriculate. It is likely that even during the time of private owner the concerned workman was doing some more responsible work than others. But for Bharat Coking Coal Ltd. it was not possible to make a distinction because no particular designation or graduation had been done by the private owners. We cannot, therefore, say that the BCCL committed any error in placing the concerned workman in clerical grade II. It is no doubt true that the management of Jogidih colliery found the concerned workman very useful in the office and put him into some responsible job. But under the policy of the management a cadre scheme particularly of the clerical cadre was framed and a seniority

list was prepared area-wise. It is no doubt true that preparation of such a list area-wise has put the concerned workman to some disadvantage. But we cannot for this reason say that the management did anything wrong in following the seniority list and the promotion policy evolved by the management. As it is the concerned workman has already been promoted to grade I in 1982. I therefore see no reason to find fault with the action of the management in this matter. Suffice it to say that the concerned workman has not been superseded by any of his juniors which is the main case of the concerned workman.

8. Thus, considering all aspects of the matter I hold that the action of the management of Jogidih colliery of Messrs Bharat Coking Coal Limited, Post office Tundoo, District Dhanbad in not promoting Shri Sudhakar Tewary, P.F. Clerk Incharge from Grade II to Grade I (Clerical) at least with effect from the date on which his juniors have been promoted is justified. Consequently, the concerned workman is not entitled to any relief.

This is my award.

J. P. SINGH, Presiding Officer.

[No. L-12012(43)/81-D.III(A)]

A. V. S. SARMA, Desk Officer

New Delhi, the 8th July, 1983

S.O. 2977.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2 Dhanbad in the industrial dispute between the employers in relation to the management of Finance Directorate of Messrs Bharat Coking Coal Limited, At & Post Office Jealgora, District Dhanbad and their workmen, which was received by the Central Government on the 30th June, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

Reference No. 31 of 1981

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of the Finance Directorate of M/s. Bharat Coking Coal Limited, At and Post Office Jealgora, Dist. Dhanbad.

AND

Their workmen

APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate.
On behalf of the workmen—Shri S. Bose, Secretary, Rastriya Colliery Mazdoor Sangh, Dhanbad.

STATE : Bihar

INDUSTRY : Coal.

Dhanbad, 23rd June, 1983

AWARD

This is an industrial dispute under S. 10 of the I.D. Act, 1947. The Central Government by its order No. L-20012 (265)/80-D.III(A) dated 1st June, 1981 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the action of the management of Finance Directorate of M/s. Bharat Coking Coal Limited, At and Post Office Jealgora, District Dhanbad in depriving Shri Balram Mishra, Accounts Assistant

of continued employment consequent upon nationalisation of coal mines from the 1st May, 1972, whereas some of his co-workers continued to be employed, is justified ? If not, to what relief is the concerned workman entitled ?"

2. In this reference the facts are not controverted. The concerned workman Shri Balram Mishra joined on the post of Accounts Assistant under Messrs North West Coal Company Ltd., owners of Lna colliery w.e.f. 5-3-1968. His posting was in the head office of the company at Calcutta. As Coking Coal Mine Ena colliery was taken over by the Central Government w.e.f. 17-10-1971 and later nationalised from 1-5-72. Since then Messrs Bharat Coking Coal Limited is the owner of this mine. As a general policy of the Government all persons who were on the rolls of the colliery companies were deemed to have been automatically employees of the new owners, i.e. the Central Government since 17-10-1971 and the Bharat Coking Coal Company Ltd. from 1-5-1972. The private owner of the company consequent upon take over submitted a list of workers of the colliery and the head office. The new management however, did not issue any order of posting of 4 employees posted at the headquarters at Calcutta. These employees made several representations before different authorities for absorption in the nationalised establishment. Subsequently, 3 of such employees were taken in the service of M/s. Bharat Coking Coal Co. Ltd. leaving alone the concerned workman, Shri Balram Mishra. Faced with such a situation Shri Balram Mishra took up his case with the higher authorities of M/s. Bharat Coking Coal Ltd. as well as with the Central Government and consequently, Shri Balram Mishra was employed w.e.f. 29-8-75 in the Clerical Grade II as a fresh entrant. According to the concerned workman the other three employees of the headquarters were given continuous service right from the date of take over by the Central Government and they were all given back wages. An exception, however, had been made with the concerned workman. Finding no way out the union of the concerned workman viz. Rastriya Colliery Mazdoor Sangh raised this industrial dispute. There was failure of conciliation and subsequently this reference has been made.

3. The management took the plea in the written statement that since the concerned workman was not working in a mine but at the head office, there was no justifications for him to claim absorption consequent upon take over and nationalisation of the coal industry. So far as the appointment of the concerned workman by M/s. Bharat Coking Coal Limited is concerned, the management's case is that the concerned workman was employed on the humanitarian ground as a fresh employee and was placed in clerical grade II.

4. In this case there was considerable delay causing in disposal of the case on account of the fact that there was a talk of settlement. Shri S. Bose appearing on behalf of the concerned workman as Secretary, Rastriya Colliery Mazdoor Sangh has submitted in this Court that the negotiation for settlement had gone a long way in finding a solution of this dispute. For instance, Shri Bose for the concerned workman and Shri B. Joshi for the management argued before me that the management of M/s. BCCL was prepared to give to the concerned workman continuity in service and they were also prepared to allow him whatever increments fell due from the date of take over. The management did not agree to give him any back wages which the union have naturally demanded from the management.

5. In this case the concerned workman has examined himself. From his evidence it will appear that soon after take over of the colliery by the Government, the management's representative had gone to the Calcutta office and prepared a list of workers engaged in the head office. His evidence is also very clear on the point that Shri B. P. Agarwalla, the private owner of the company had his office at Calcutta and besides controlling the production of coal the head office also dealt with the sale of coal. Shri B. P. Agarwalla had some other business also with head office at Calcutta but the coal office was not mixed up with the other offices of the owner. He has accepted that all the other three employees were employed on representation filed by them

and the management has also accepted that in course of time the management considered and gave them continuity of service and back wages. The management has not shown any specific reason why the concerned workman was not taken in along with the rest three and why he was not given continuity of service and back wages. Shri B. Joshi, Advocate for the management did not choose to examine any witness. A number of documents were admitted into evidence without any formal proof and some of the documents have been proved by the concerned workman in his evidence. The evidence of the concerned workman would go to show that he went on representing before the Government of India and the authorities of the nationalised coal industry. The concerned workman in his evidence has said that his owner Shri B. P. Agarwalla also moved the Government of India and the management of M/s. BCCL, but due to their adamant attitude he expressed his helplessness. The concerned workman, however, went on pursuing the matter and ultimately, he was appointed as Accounts Assistant in Grade II as a fresh employee. It is an admitted position that the other three employees of the erstwhile employer were similarly employed as fresh entrants but their cases were sympathetically considered and got everything that they wanted. But unfortunately the management appointed the concerned workman after a lapse of time, and according to the management on humanitarian ground. It has also been urged on behalf of the management that the concerned workman accepted the work as a new entrant and now it is not for him to urge that he should get continuity of service and all back wages.

6. In view of the above position we have to see whether the concerned workman should have been permitted to work as an employee of the Government undertaking as soon as the colliery was taken over by the Government. The facts are clear that the take over was of the coal industry and Ena colliery belonging to M/s. North West Coal Co. was also taken over. No cogent reason has been given on behalf of the management to justify the action of the management in not taking over the employees working in the head office of the management of the Ena colliery. It is true that they were not working in the colliery premises, but the management of Ena colliery included the staff working in the head office of the private owner. After all the Government, and later on the Government company on nationalisation also was bound to have their head office for the management of the colliery and it does not stand to reason why the staff working in the head office of the private owner could not be absorbed in the head office of the Government company. It appears that the matter was considerably delayed in the appointment of the four staff of the head office of the private coal company. But after due correspondence all these four have been taken in. The three of them have got continuity of service, back wages etc. which means that there should have been no discrimination between the workers of the head office of the private company after they were appointed by M/s. BCCL. The only point urged in this connection is that the appointment of the concerned workman was on humanitarian ground, and that so long the concerned workman was appointed because there was no vacancy. I do not understand such an argument advanced on behalf of the management. The point is that if the staff working at the headquarters of the private company had no right to be absorbed in the Government company, then such a position could have been clearly enantiated and if their appointments were made on humanitarian ground that should have been specifically made clear. Unfortunately it has not been shown as to why the staff of the headquarters of the private company dealing with coal could be deprived of absorption in the colliery service of the Government company. Consequently, the three other staff of the same company working at the headquarters today enjoy the benefits which they could have normally got as on absorption from the date of take over of the management of the colliery by the management. Since the concerned workman was appointed on a different footing it is clearly a case of discrimination and the management has not been able to show any justification. The mere fact that the concerned workman accepted to work in BCCL as a fresh employee cannot take away his right which he had under the Nationalisation Act for being absorbed in the colliery service. In this connection Shri Bose has relied upon a recent decision of the Supreme Court as reported in AIR 1982, S.C. Page 1473. It may be quoted here for a fuller appreciation of the stand taken on behalf of the

workmen which in a long way meets the objection raised on behalf of the management:

"When a person provides labour or service to another against receipt of remuneration which is less than the minimum wage he is acting under the force of some compulsion which drives him to work though he is paid less than what he is entitled under the law to receive If labour or service is compelled as a result of such 'FORCE' it would be 'FORCE LABOUR'. Where a person is suffering from hunger and starvation, when he has no resources at all to fight, disease or to feed his wife and children or even to hide their nakedness, where utter grinding poverty has broken his back and reduced him to a state of helplessness and despair and where no other employment is available to alleviate the rigour of his poverty, he would have no choice but to accept any work that comes his way, even if the remuneration is less than the minimum wage. He would be in no position to bargain with the employer he would have to accept what is offered to him. And in doing so he would be acting not as a free Agent with a choice between alternatives but under the compulsion of economic circumstances and the labour and service provided by him would be clearly "FORCED LABOUR".

7. As a result of the above discussions it is held that the concerned workman is entitled to have his continuity in the service as a Cashier, Grade I w.e.f. 17-10-1971. It is also held that discrimination has been made in the case of the concerned workman which is not permissible under law.

8. The reference is therefore answered as below :

The action of the management of Finance Directorate of Messrs Bharat Coking Coal Limited, At and Post Office Jeal-goda, District Dhanbad in depriving Shri Balam Mishra, Accounts Assistant of his continued employment consequent upon nationalisation of coal mines from the 1st May, 1972 whereas some of his co-workers continued to be employed, is not justified. Consequently, Shri Balam Mishra is entitled to continuity of employment w.e.f. 17-10-1971 and should be paid back wages and other emoluments from 1-5-1972 till 14-9-75 in Grade I and from 1-11-74 in Special Grade (Clerical). The management will determine the question of increment which fell due from the time of take over of the colliery by the Government and calculating from that time all the due promotions which are admissible to him.

This is my award.

J. P. SINGH, Presiding Officer,
[No. L-20012(265)/80-D.III(A)]
A. V. S. SARMA, Desk Officer

New Delhi, the 6th July, 1983

S.O. 2978.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust, Calcutta and their workmen, which was decided by the Central Government on the 29th June, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL :
CALCUTTA

Reference No. 29 of 1981

PARTIES :

Employers in relation to the management of Calcutta Port Trust, Calcutta

AND

Their Workmen.

PRESENT :

Mr. Justice M. P. Singh—Presiding Officer

APPEARANCES :

On behalf of Employers :

Mr. D. K. Mukherjee, Industrial Relations Officer.

On behalf of Workmen :

Mr. Asgar Ali, Vice-President of the Union.

STATE : West Bengal

INDUSTRY : Port

AWARD

The Government of India, Ministry of Labour by their Order No. L-32012/5/81-D. IV(D) dated 16 July, 1981. referred the following dispute to this Tribunal for adjudication :

“Whether the management in relation to Calcutta Port Trust, Calcutta are justified in retiring Shri Samsu Khan, Loco-Driver, Item No. 58 of the Chief Mechanical Engineer's Department, Calcutta Port Trust with effect from 25th March, 1978 ? If not, to what relief is the concerned workman entitled ?”

2. Admittedly the retirement age of Samsu Khan is 58 years. The simple question in this case is as to what is the year of his birth. If it is 1920 as alleged by the CPT, then he was rightly retired in 1978. In my opinion, the case of the management that Samsu Khan was born in 1920 is supported by evidence, documentary and circumstantial. Ext. M-9 is the service-sheet. Samsu Khan was admittedly appointed in 1941 as a cleaner in Loco-Wing in the department of the Chief Mechanical Engineer. It is an important document. The age of Samsu is recorded in this document as 22 years on 22 August, 1941. This document bears the L.T.I. and photo of Samsu. The date of his appointment in this document is 1 April, 1941. The fact that it bears his LTI is not in doubt and is not challenged. It is thus the own declaration of Samsu about his age and it is binding upon him. It was argued by Mr. Asgar Ali appearing for the union that the age in Ext. M-9 had been written by pencil. The argument is baseless. It is clearly written in ink, though it has become faint. At several places in this document such faint writing appears and they are all in ink. The point thus has no force. I rely upon Ext. M-9.

3. Another document is Ext. M-10 the Service register. It also bears the LTI of Samsu. It contains all his particulars relating to his service. The date of birth of Samsu in Ext. M-10 is 25 March, 1920 as per CMO's certificate. Ext. M-8 is the certificate of the Chief Medical Officer of the CPT Sri S. K. Das. The CMO examined Samsu on 29 March, 1978 and assessed his age about 58 years. There is no reason to reject Ext. M-8. Samsu was examined by the CMO in 1978, that is, after 4 days of his retirement on his own representation dated 26 November, 1977 as well as on the representation of the Union. The fact of representation is admitted by WW 1 Samsu Khan himself in his examination in-chief. That will also appear from Ext. W-11 dated 28 April, 1978, the letter written by the Union to the management read with Ext. M-7, the letter of the Union dated 2nd September, 1980 filed before the ALC(C), Calcutta. It is to be noticed that for the first time Samsu raised the question of correction of age only on 26 November, 1977, that is about 4 months prior to the actual date of his retirement. He never challenged the correctness of his age prior to that, before the age Committee which had been constituted on 15th May, 1957. There is thus ample documentary evidence on record to prove that Samsu Khan's year of birth was 1920 for the purposes of his retirement.

4. There is also strong circumstantial evidence on record which goes to show that the case of Union cannot be true. The first circumstance is that no year of birth of Samsu is mentioned in their written statement. It is something surprising. The Union themselves did not know it. The second circumstance is that Azimuddin the own brother of Samsu Khan and younger to Samsu by 3 years admittedly retired from service in 1979. This fact is admitted by Samsu Khan himself in his cross-examination. If Samsu was retired in 1978, nothing seems to be wrong in that. The third circumstance is that Ext. M-1 the Service book was admittedly in the custody of Samsu Khan all along. In the very first page of Ext. M-1 the age and other particulars in the column of age have been rubbed out. This rubbing must have been done by a person interested. Who else than Samsu Khan was inter-

ested in doing so ? This document had not been filed before this Tribunal by the Union. When Samsu Khan was being examined, a question was put to him regarding this document, then he filed it here and it was marked as Ext. M-1 at the instance of the management. The rubbing of 'age' and some other particulars as also some overwriting in this document is a strong circumstance against the Union.

5. On behalf of the union two witnesses have been examined, one is the concerned workman Samsu Khan himself. He gave his age before this Tribunal as 59 years and deposed that by calculation he must have been born in the year 1921. I have already said that no year of birth has been mentioned in the written statement of the union. Any way it supports to some extent the case of the management that his year of birth was 1920. WW-1 says that he was appointed on 1 January 1941 as a Cleaner and was medically examined on that very day. That is obviously false. The documentary evidence clearly shows that he was appointed on 1 April, 1941. The actual date of medical examination in the year 1941 is not available because the paper regarding that medical examination are not on record. However, it is a fact that he was medically examined in the year 1941 prior to his appointment as per prevailing practice in CPT and also in 1956. Sri Mukherjee appearing for the management submits that Samsu was aged 35 years on 25th March, 1955 when he was medically examined on that day for a second time. In his evidence Samsu Khan has said that the RLC, Calcutta had called for the necessary papers from the management regarding his age but the management did not produce the same. He further said that the ALC (Central), Calcutta had gone to the hospital to look to the papers regarding his age but no paper was shown to him by the hospital authorities. Mr. Asgar Ali has vehemently argued that adverse inference should be drawn against the management for not producing the medical papers regarding the medical examination of Samsu Khan in the year 1941 as well as in the year 1955. In my opinion, though the management should have filed those papers, they cannot be defeated on that ground because they have produced the medical certificate of the Chief Medical Officer Sri S. K. Das who examined Samsu Khan on 29th March, 1978 (Ext M-8) on the representation made by the Union themselves. The earlier papers seem to have been lost as submitted by Sri Mukherjee. This contention, therefore, has no force. The other witness examined by the Union is Haribasant Singh who is the Secretary of the National Union of Waterfront Workers. His evidence on the point of age worthless. He became appointed in the CPT in the year 1956 and became Secretary in 1979. Samsu had been appointed as Cleaner in the year 1941 and had declared his age after joining the service. WW-2, therefore, is not competent to speak about the birth year of Samsu Khan.

6. So far as the documentary evidence is concerned the Union has filed several documents (W-1 to W-16) but they are not of any assistance in determining the year of birth of Samsu Khan. Not a single document filed on behalf of the Union is useful for the determination of the year of birth of Samsu. They are mostly papers raising the question of correctness of age with the ALC (Central), Calcutta. It is therefore not necessary to discuss them in detail. Suffice it to say that not one of these documents shows that Samsu was born in any particular year.

7. Mr. Asgar Ali vehemently argued that non-production of G 53 form in which the age of Samsu Khan was recorded after medical examination was a strong circumstance against the management and on this ground alone the management should fail. I do not think so. I have already referred to the several documentary evidences as also to the circumstantial evidence which go to show that the year of birth of Samsu Khan was 1920 and it must therefore, be held that he was rightly retired in the year 1978.

8. In fine, my concluded award is that the management in relation to the Calcutta Port Trust, Calcutta are justified in retiring Samsu Khan, Loco-Driver, Item No. 58 of the Chief Mechanical Engineer's Department, Calcutta Port Trust with effect from 25th March, 1978. It follows that the concerned workman is not entitled to any relief.

Dated, Calcutta,
the 24th June, 1983.

M. P. SINGH, Presiding Officer
[No. L-32012/5/81-D. IV(A)]
R. K. GUPTA, Desk Officer

(पुनर्वास विभाग)

नई दिल्ली, 30 जून, 1983

का० आ० 2979.—निष्क्रान्त सम्पत्ति प्रशासन अधिनियम 1950 (1950 का० 31) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा श्रम और पुनर्वास मंत्रालय (पुनर्वास विभाग) में संयुक्त सचिव, श्री ए० के० मुखर्जी को, उक्त अधिनियम के द्वारा या उसके अधीन महाअतिरक्षक को सौंपे गये कार्यों का निष्पादन करने के लिए 27 जून, 1983 से निष्क्रान्त सम्पत्ति के महाअतिरक्षक के रूप में नियुक्त करती है।

2. इसके द्वारा 13 अप्रैल, 1982 की अधिसूचना सं० 1 (1) वि० सै०/82 एस० एस० 2 (ख) का अधि-क्रमण किया जाता है।

[सं० 1/14/वि० सै०/83-एस० एस० 2(ख)]

(Department of Rehabilitation)

New Delhi, the 30th June, 1983

S.O. 2979.—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (31 of 1950), the Central Government appoints Shri A. K. Mukherjee, Joint Secretary in the Ministry of Labour and Rehabilitation (Department of Rehabilitation) as the Custodian General of Evacuee Property for the purpose of performing functions assigned to such Custodian General by or under the said Act with effect from 27th June, 1983.

2. This supersedes Notification No. 1 (1)/Spl.Cell/82-SS. II (B), dated the 13th April, 1982.

[No. 1(14)/Spl. Cell/83-SSII(B)]

का० आ० 2980.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इसके द्वारा पुनर्वास विभाग में संयुक्त सचिव, श्री ए० के० मुखर्जी को, उक्त अधिनियम के द्वारा अथवा उसके अधीन मुख्य बन्दोबस्त आयुक्त को सौंपे गये कार्यों का निष्पादन करने के लिये 27 जून, 1983 से मुख्य बन्दोबस्त आयुक्त नियुक्त करती है।

2. इसके द्वारा 13 अप्रैल, 1983 की अधिसूचना सं० 1/1/वि० सै०/82-एस० एस० 2(क) का अधिक्रमण किया जाता है।

[सं० 1/14/वि० सै०/83-एस० एस० 2(क)]

महेन्द्र कुमार कंसल, अवर. सचिव

S.O. 2980.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri A. K. Mukherjee, Joint Secretary in the Department of Rehabilitation as Chief Settlement Commissioner for the purpose of performing the functions assigned to such Chief Settlement Commissioner by or under the said Act with effect from 27th June, 1983.

2. This supersedes Notification No. 1 (1)/Spl. Cell/82-SS. II(A) dated the 13th April, 1982.

[No. 1(14)/Spl. Cell/83-SS. II(A)]

M. K. KANSAL, Under Secy.

(श्रम विभाग)

नई दिल्ली, 8 जुलाई, 1983

का० आ० 2981.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (डू) के उपखण्ड (Vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 679 दिनांक 12 जनवरी, 1983 द्वारा बैंक नोट प्रेस, देवास में सेवा को उक्त अधिनियम के प्रयोजनों के लिए 15 जनवरी, 1983 से छः मास की कालावधि के लिए उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि उक्त कालावधि की छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (डू) के उपखण्ड (Vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 15 जुलाई, 1983 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं० एस०-11017/11/81-डी० I(ए०)]

New Delhi, the 8th July, 1983

S.O. 2981.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S.O. 679 dated the 12th January, 1983, the Bank Note Press, Dewas (MP) to be a public utility service for the purposes of the said Act for a period of six months, from the 15th January, 1983;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 15th July, 1983.

[No. S-11017(11)/81-D. I. (A)]

नई दिल्ली, 13 जुलाई, 1983

आवेश

का० आ० 2982.—भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 1780 तारीख 19 जून, 1963 द्वारा गठित श्रम न्यायालय के पीठासीन अधिकारी के कार्यालय में, जिसका मुख्यालय जयपुर में है, एक पद रिक्त हुआ है;

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबंधों के अनुसरण में केन्द्रीय

सरकार श्रीमती मोहिनी कपूर को उक्त श्रम न्यायालय के पीठासीन अधिकारी के रूप में नियुक्त करता है।

[सं० एन-11020/3/81-डी० I(ए)]

एस० एन० एम० अय्यर, अवर सचिव

New Delhi, the 13th July, 1983

ORDER

S.O. 2982.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court with headquarters at Jaipur constituted by the notification of the Government of India in the Ministry of Labour No. S.O. 1780 dated the 19th June, 1963;

Now, therefore, in pursuance of the provisions of Section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shrimati Mohini Kapur as the Presiding Officer of the Labour Court constituted as aforesaid.

[No. S-11020/3/81-D. I(A)]

S. H. S. IYER, Under Secy.

नई दिल्ली, 11 जुलाई, 1983

का० आ० 2983.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (ग) के अनुसरण में श्रीमती चित्रा चोपड़ा उप सचिव भारत सरकार श्रम और पुनर्वास मंत्रालय (श्रम विभाग) को श्री आर० एस० जैन के स्थान पर कर्मचारी राज्य बीमा निगम से सदस्य के रूप में नाम निर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 4 के अनुसरण में भारत सरकार के भू० पू० श्रम मंत्रालय की अधिसूचना संख्या आ० आ० 850(अ), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, “केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (ग) के अर्थात् नामनिर्दिष्ट” शीर्षक के

तक सड़ 7 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“श्रीमती चित्रा चोपड़ा,

उप सचिव, भारत सरकार,

श्रम और पुनर्वास मंत्रालय,

श्रम विभाग, नई दिल्ली।”

[संख्या यू-16012/1/82-एच० आई०]

ए० के० भट्टराई, अवर सचिव

New Delhi, the 11th July, 1983

S.O. 2083.—Whereas the Central Government has in pursuance of clause (c) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Smt. Chitra Chopra, Deputy Secretary to the Government of India, Ministry of Labour and Rehabilitation (Department of Labour), New Delhi, as a member of Employees' State Insurance Corporation, in Place of Shri R. S. Jain;

Now, therefore, in pursuance of the provisions of Section 8 State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Late Ministry of Labour No. 850(E), dated the 21st October, 1980, namely :—

In the said notification under the heading “(Nominated by the Central Government under clause (c) of section 4)” for the entry against Serial Number-7, the following entry shall be substituted, namely:—

“Smt. Chitra Chopra,

Deputy Secretary to the

Government of India,

Ministry of Labour and Rehabilitation

Department of Labour,

New Delhi.”

[No. U-16012/1/82-HI]

A. K. BHATTARAI, Under Secy.